

Board Governance Committee 2011 Annual Report on Reconsideration Requests



Board Governance Committee (BGC) Members

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Cherine Chalaby

Bill Graham

Ram Mohan (non-voting member)

R. Ramaraj

Ray Plzak

One World

One Internet



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SÉNÉGAL
N°42 23 - 28 October 2011

Bylaws Provisions Re: Annual Report on Reconsideration Requests

- ICANN's Reconsideration Policy is set forth in Article IV, section 2 of ICANN's Bylaws.
- This annual report is presented in fulfillment of subsection 19 of that policy, which calls for the BGC to provide the information found in the following slides.



Information re: Specific Reconsideration Requests



Number and Nature of Requests Received in 2011

Request 11-1: Request for
Transfer of zetamusic.com



Number and Nature of Requests Pending from 2010

Request 10-2: Board Approval of
Amendments to .JOBS Registry
Agreement

Request 10-3: Board decision on
the HSTLD work in New gTLD
launch



Number of Requests Acted Upon

- For the period of 16 November 2010 through 13 October 2011, the BGC acted upon three Requests:
 - Request 10-2 (Board Approval of Amendments to .JOBS Registry Agreement)
 - Request 10-3 (Board decision on the HSTLD work in New gTLD launch)
 - Request 11-1 (Request for Transfer of zetamusic.com)



Number of Requests Acted Upon

REQUEST 10-2

- On 9 December 2010, the BGC recommended that the Board deny the request to reconsider the approval of amendments to the .JOBS registry agreement. The BGC also recommended close monitoring of compliance with the .JOBS charter. The Board approved the BGC recommendation on [10 December 2010](#)



Number of Requests Acted Upon

REQUEST 10-3

- On 4 December 2010, the BGC recommended that the Board deny the request to reconsider the inclusion of resolution text relating to the HSTLD program. The Board approved the BGC recommendation on [10 December 2010](#)



Number of Requests Acted Upon

REQUEST 11-1

- On 15 August 2011, the BGC recommended that the Board deny the request to reconsider staff's failure to transfer the requested domain name, as the Reconsideration process is not the proper forum for domain name disputes. The Board approved the BGC recommendation on 25 August 2011.



Number of Requests Pending

- As of 13 October 2011, no Reconsideration Requests are pending.
- No Reconsideration Requests were pending at the end of the 2010 calendar year.



Number of Reconsideration Requests The BGC Declined to Consider

- The BGC reviewed and acted on all Reconsideration Requests submitted in 2011



Other Accountability Mechanisms Available to Denied Requesters

- ICANN makes available the Ombudsman and the Independent Review Process as additional mechanisms to enhance ICANN accountability to persons materially affected by its decisions
- During 2012, the BGC will be leading a review of ICANN's accountability mechanisms



Use of Other Available ICANN Accountability Mechanisms

- Independent Review - In accordance with Article IV, section 3 of ICANN's Bylaws, ICANN has designated the International Centre for Dispute Resolution as the body to process requests for independent review of Board actions alleged by an affected party to be inconsistent with ICANN's Articles of Incorporation or Bylaws.



Other Available ICANN Accountability Mechanisms

Independent Review, continued

- On 19 February 2010, ICANN received the Panel Declaration in the only Request for Independent Review, submitted by ICM Registry, Inc. in 2008.
- After a [25 June 2010](#) determination to accept and act in accordance with certain findings of the Panel, on [18 March 2011](#) the Board approved entering a .XXX Registry Agreement with ICM.



Thank You

