

Public Comment on the Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations

Strengthening Procedural Clarity, Registrant Safeguards, and Implementation Consistency in IGO-Related UDRP and URS Proceedings

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Proceeding Category	Policy
Topic	Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations
Date	July 2026

Overall position: *This submission supports ICANN's proposed implementation of the Board-adopted GNSO policy recommendations for IGO-INGO curative rights protections, while recommending targeted implementation safeguards to make the final UDRP, URS, and Policy Guidance materials clearer, more accessible, more predictable, and more balanced for both IGO Complainants and domain name registrants.*

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Executive Summary

This individual public comment supports ICANN's effort to implement the Board-adopted GNSO consensus policy recommendations concerning curative rights protections for Intergovernmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs). The implementation materials seek to address a longstanding procedural challenge: how to allow eligible IGOs to use existing domain name dispute mechanisms, particularly the Uniform Domain Name Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension System (URS), without requiring them to waive privileges and immunities that may apply in court proceedings.

The draft implementation package generally reflects an appropriate compromise. On one side, it recognizes that abusive domain name registrations can harm the public-facing identifiers, names, and acronyms used by IGOs in carrying out public-interest missions. On the other side, it recognizes that registrants should not lose meaningful access to review merely because an IGO Complainant may be able to assert immunity in a national court. The new ICANN-created Arbitral Proceeding is therefore an important implementation tool: it gives registrants a path to challenge outcomes in IGO-initiated UDRP and URS proceedings while respecting the special legal position of IGOs.

The overall position of this submission is support with targeted implementation improvements. The draft UDRP, UDRP Rules, URS Procedure, URS Rules, and Policy Guidance appear to implement the core policy direction: defining an IGO Complainant, removing the ordinary requirement that an IGO submit to Mutual Jurisdiction as a condition of filing, requiring IGO Complainants to agree to arbitration in specified circumstances, and giving registrants a route to arbitral review. However, the success of this implementation will depend on operational details that must be clear before the final materials become effective.

This submission therefore recommends that ICANN strengthen the final implementation in four areas. First, ICANN should improve procedural clarity by replacing all placeholders, publishing the list of designated Arbitral Institutions, and providing a mapping table showing how each implementation text corresponds to the Board-adopted PDP and EPDP recommendations. Second, ICANN should protect registrant awareness by requiring clear, plain-language notices explaining court options, IGO privileges and immunities, arbitration triggers, deadlines, fees, and consequences for domain status. Third, ICANN should improve consistency by harmonizing terminology, cross-references, and operational steps across the UDRP and URS, especially because additional URS updates from RPM Phase 1 will also need reconciliation. Fourth, ICANN should support accountability by tracking

aggregate implementation data and conducting a post-implementation review after sufficient cases have occurred.

These recommendations do not seek to reopen the policy merits already considered through the PDP and EPDP processes. Instead, they focus on the final implementation stage: whether the draft materials are sufficiently clear, usable, accessible, and predictable for the parties who will need to rely on them. A well-designed implementation will protect legitimate IGO interests while ensuring that registrants, including individuals, small businesses, and participants from developing economies, can understand and exercise their procedural rights.

1. Introduction and Scope of Comment

The UDRP and URS are important components of the domain name ecosystem. They provide administrative mechanisms for addressing abusive domain name registrations without requiring every dispute to proceed through formal litigation. The UDRP has long been used to address disputes involving transfer or cancellation of domain names, while the URS was designed as a rapid suspension mechanism for clear cases of abuse in new gTLDs. Both mechanisms are intended to be faster and more cost-effective than court proceedings, while remaining grounded in defined procedural requirements.

IGO-related disputes raise a distinctive implementation issue. Unlike ordinary trademark owners, many IGOs may possess privileges and immunities that affect whether and how they can participate in national court proceedings. Historically, this has created tension between two legitimate objectives: enabling IGOs to protect identifiers associated with their public missions, and preserving a registrant's ability to challenge a UDRP or URS outcome. The proposed implementation responds to this tension by creating an arbitration-based path for registrants when the dispute involves an IGO Complainant.

This comment is limited to the implementation stage. It does not ask ICANN to revisit the substantive policy balance reached by the GNSO PDP, EPDP, GNSO Council, or ICANN Board. Instead, it evaluates whether the draft implementation materials are sufficiently clear and operationally complete to implement those already-adopted policy recommendations in a fair, predictable, and globally accessible manner.

The central implementation question is not whether IGOs should have access to curative rights mechanisms. That policy issue has already been addressed through the relevant GNSO work. The central question at this stage is whether the final texts will give all parties - IGOs, registrants, Providers, registrars, registries, Arbitral Institutions, panelists, examiners, and the broader ICANN community - enough

procedural clarity to use the new framework without avoidable confusion or inconsistent practice.

1.1 Main Position

This submission supports the proposed implementation, provided that ICANN incorporates additional safeguards for clarity, registrant notice, fee transparency, cross-document consistency, and post-implementation review. The implementation should be judged not only by whether it enables IGO access to UDRP and URS, but also by whether it provides registrants with a meaningful, understandable, and accessible route to challenge decisions through arbitration when court review is limited by IGO privileges and immunities.

1.2 Principles Used in This Review

- Implementation fidelity: the final materials should implement the Board-adopted PDP and EPDP recommendations without expanding or narrowing them through unclear drafting.
- Procedural fairness: registrants should receive understandable information about rights, deadlines, costs, and consequences.
- Respect for IGO privileges and immunities: implementation should not require IGOs to waive legal protections that the policy recommendations were designed to preserve.
- Operational predictability: Providers, Arbitral Institutions, registrars, and registries should be able to apply the rules consistently.
- Global accessibility: notices and guidance should be usable by parties with different levels of legal knowledge, language proficiency, and financial resources.

2. Review of the Draft Implementation Materials

The implementation package should be understood as a coordinated set of documents rather than as separate amendments. The UDRP, UDRP Rules, URS Procedure, URS Rules, and Policy Guidance each perform a different function. The following table summarizes the key function of each category of materials and the main implementation issue that this public comment identifies.

Material Reviewed	Key Implementation Function	Comment Focus
Draft updates to the UDRP	Introduce a policy-level route for Arbitral Proceedings involving IGO Complainants and clarify that such proceedings are conducted under the Rules of Procedure and applicable arbitral rules.	Ensure that the UDRP text clearly explains when arbitration is available, whether it is de novo, and how it relates to court proceedings and implementation of panel decisions.

Material Reviewed	Key Implementation Function	Comment Focus
Draft updates to the UDRP Rules	Define Arbitral Institution, Arbitral Panel, Arbitral Proceeding, IGO Complainant, and Mutual Jurisdiction; add procedural steps for arbitration and complaint requirements.	Ensure that definitions, deadlines, communications, fees, and cross-references are complete and harmonized with the UDRP policy text.
Draft updates to the URS Procedure	Adapt the rapid suspension process to IGO Complainants, including standing, notice, appeal, arbitration, and domain status during arbitral review.	Preserve URS speed while ensuring that registrants understand their rights and the effect of arbitration on suspension.
Draft updates to the URS Rules	Add IGO Complainant filing requirements, documentation, attestation, Mutual Jurisdiction exemption, and arbitration-related definitions.	Ensure that URS Providers have consistent operational instructions and that notices are clear to registrants globally.
Policy Guidance on IGO Usage of UDRP and URS	Explain IGO eligibility, standing, filing options, and availability of arbitration while stating that the guidance is non-binding and not legal advice.	Make the guidance sufficiently practical, with examples and implementation explanations, while avoiding creation of new policy obligations.
Redline versions	Show the specific amendments to existing UDRP and URS documents.	Use the redlines to verify that changes are limited to implementation and do not create unintended inconsistencies.

2.1 Core Elements Reflected Across the Drafts

Across the draft implementation materials, several common elements appear to be central to the proposed framework:

- A defined category of IGO Complainant, covering international organizations established by treaty with international legal personality, intergovernmental organizations with an effective standing invitation to participate as observers in the United Nations General Assembly, and UN Specialized Agencies or distinct UN entities, organs, or programs.
- A standing pathway for IGOs that hold trademark or service mark rights, and an additional pathway for IGOs to demonstrate rights in an identifier used to conduct public activities in accordance with their stated mission, treaty, charter, or governing document, provided the use is not merely token use.
- An exemption from the ordinary requirement that an IGO Complainant submit to Mutual Jurisdiction in court as a condition of filing certain UDRP or URS complaints.

- A corresponding obligation for an IGO Complainant to agree, at the point of filing, to participate in a binding Arbitral Proceeding when the registrant properly invokes that mechanism in specified circumstances.
- A registrant-initiated Arbitral Proceeding that can provide review of the claims or determination in IGO-initiated UDRP or URS disputes.
- A ten-business-day window for initiating arbitration after specified events, such as a UDRP panel decision in favor of the IGO, a URS appeal determination in favor of the IGO, or a court order declining to hear the merits because of IGO privileges and immunities.
- An early arbitration option, under which a registrant may request arbitration before a UDRP or URS appeal decision is formally rendered, while the IGO Complainant retains discretion to accept or decline that early request.
- A non-binding Policy Guidance document that explains eligibility, standing, filing options, and arbitration without creating new legal requirements or providing legal advice.

2.2 Why Implementation Details Matter

The proposed framework creates a new procedural architecture inside two existing rights protection mechanisms. Because UDRP and URS proceedings are often used by parties who may not be represented by sophisticated counsel, the practical usability of this architecture matters as much as its formal availability. A registrant who receives a notice must be able to understand what happened, what deadlines apply, where to file, what fees may be required, and whether the domain name will be locked, suspended, transferred, or otherwise affected during the review period. Likewise, an IGO must understand what evidence to submit, what attestation is required, and when it must participate in binding arbitration.

For these reasons, the implementation should avoid placeholders, ambiguous cross-references, unexplained fee structures, or inconsistent terminology. A small drafting ambiguity may become a significant practical problem when applied under the short timeframes of the URS or the procedural complexity of UDRP appeals and court challenges.

3. Problem Statement: Implementation Risks to Address

The draft materials are generally aligned with the intended policy direction, but several implementation risks should be addressed before final publication. These risks are not reasons to reject the implementation. They are reasons to strengthen it so that the final framework works as intended.

3.1 Incomplete Operational Details

Several elements that are essential to the operation of the new arbitral mechanism appear as placeholders or are dependent on future publication, including effective dates, links to designated Arbitral Institutions, and the applicable arbitral rules. This is understandable in a draft, but the final version should not leave these details unresolved. The arbitral path is not a minor add-on; it is the primary safeguard that allows registrants to seek review when ordinary court review is limited by IGO privileges and immunities.

3.2 Registrant Awareness and Access

The registrant is the party that must decide whether to challenge an IGO-favorable outcome and whether to use arbitration. That choice is meaningful only if the registrant receives clear notice. The draft URS materials already recognize that notices should be clear and understandable globally and should explain the registrant's rights in cases involving IGO Complainants. The final implementation should build on this principle by requiring plain-language notice templates and translated key warnings where appropriate.

3.3 Fee Transparency

The draft arbitration provisions contemplate an initial fixed fee and additional fee rules set by the applicable arbitral rules. Because arbitration may be the practical substitute for court merits review in certain IGO cases, fee transparency is essential. If the cost of arbitration is unclear or disproportionately high, the registrant's right to review may be formally available but practically inaccessible, especially for individuals, small organizations, and registrants in developing economies.

3.4 Evidence and Standing Consistency

The standing pathway for IGO identifiers is an important innovation. It recognizes that some IGOs may rely on names or acronyms connected to treaty-based or mission-based public activities rather than ordinary commercial trademark use. However, terms such as “public activities,” “stated mission,” and “non-token use” require practical examples. Without examples, panels and examiners may apply the standard differently, creating uncertainty for both IGOs and registrants.

3.5 Cross-Document Harmonization

The implementation package spans multiple documents. If the UDRP, UDRP Rules, URS Procedure, URS Rules, and Policy Guidance use slightly different terminology, deadlines, or cross-references, disputes may arise over interpretation. This risk is heightened because pending URS updates from RPM Phase 1 will also need to be reconciled with the IGO-INGO implementation package before final publication.

4. Detailed Analysis

4.1 Balancing IGO Privileges and Immunities with Registrant Due Process

The most important policy balance in the draft implementation is the tradeoff between IGO privileges and immunities and registrant access to review. The implementation recognizes that an IGO should not be forced to waive privileges and immunities merely to use a domain name dispute process. At the same time, it recognizes that a registrant should not be deprived of meaningful review where the IGO obtains a favorable UDRP or URS outcome.

This balance is implemented through the Arbitral Proceeding. The IGO Complainant is exempted from the ordinary Mutual Jurisdiction requirement in specified circumstances, but must agree to participate in binding arbitration when the registrant properly invokes that mechanism after an IGO-favorable decision or after a court declines to hear the merits because of IGO privileges and immunities. This is a reasonable implementation structure, provided that registrants are clearly informed of how to invoke it and what consequences follow.

The implementation should therefore be framed as a due process substitute, not merely as a technical procedural option. If the arbitral mechanism is to serve as the alternative to court review, it must be intelligible, timely, and reasonably accessible. ICANN should ensure that the final text and related Provider notices make this role explicit.

4.2 IGO Eligibility and the Definition of IGO Complainant

The definition of IGO Complainant is central to the implementation. It provides a specific category of eligible complainants: international organizations established by treaty and possessing international legal personality; intergovernmental organizations with an effective standing invitation to participate as observers in the United Nations General Assembly; and UN Specialized Agencies or distinct UN entities, organs, or programs. This definition is appropriately specific and helps prevent the IGO-specific procedures from being used by entities that do not fall within the intended policy scope.

However, the definition will be operational only if complaint forms require appropriate documentary support. The draft materials correctly require an IGO Complainant to attach documentation demonstrating that it qualifies as an IGO Complainant. The final implementation should go further by including non-binding examples of acceptable documentation. Examples could include founding treaties, headquarters agreements, UN documentation, official institutional charters, or official records showing the entity's international legal status or UN-related status.

4.3 Standing for IGO Identifiers and “Non-Token Use”

The draft materials allow an IGO Complainant to show rights in a mark or identifier by demonstrating that the identifier is used to conduct public activities in accordance with the IGO's stated mission, as reflected in its treaty, charter, or governing document. This is a practical and policy-consistent approach because many IGO identifiers are not used in the same commercial manner as private trademarks. They may instead be associated with public missions, international cooperation, humanitarian programs, technical standards, health initiatives, development programs, or other public-interest functions.

At the same time, the requirement that such use must not be “token use” is important to prevent overbroad claims. The final Policy Guidance should explain this concept without creating new binding rules. For example, non-token use may be shown through consistent public use of the name or acronym on official websites, reports, publications, public programs, official communications, or recognized mission-related activities. Token use could include isolated or artificial use created only to support a complaint, without meaningful public association between the identifier and the IGO's mission.

Providing examples will help both sides. IGOs will know what evidence to prepare, and registrants will understand the basis for the claim. Panels and examiners will also benefit from a more consistent framework for evaluating documentary evidence.

4.4 Arbitration Triggers and Timing

The ten-business-day initiation window is a key feature of the implementation. It provides speed and certainty, but it also imposes a demanding deadline on registrants. The final materials should identify precisely when the clock begins, whose business days are counted, where the request must be filed, what information must be included, and how a registrant can verify receipt by the Arbitral Institution and relevant registrar or registry operator.

For UDRP cases, the final Rules should clearly distinguish arbitration after a UDRP decision from arbitration after a court order declining to hear the merits. For URS cases, the final Procedure should clearly distinguish arbitration after an Appeal Determination from other requests. In each context, the registrant should be told whether the arbitral review is *de novo*, whether the domain status changes during arbitration, and what happens if the registrant files late or files with the wrong institution.

4.5 Early Arbitration Requests

The additional procedural window allowing a registrant to request arbitration before a UDRP or URS appeal decision is useful because it may reduce duplication and resolve disputes more efficiently. However, the IGO Complainant retains discretion to accept or decline such early arbitration. That discretion is consistent with the policy framework, but the implementation should make it transparent in aggregate.

ICANN should not require IGOs to accept early arbitration in every case. Instead, ICANN should track how often early arbitration is requested, how often it is accepted, and how often it is declined. Aggregate reporting would allow the community to evaluate whether the early arbitration option is functioning as a useful efficiency tool or whether it is rarely used in practice.

4.6 Domain Status During Arbitration

The draft URS materials indicate that, where arbitration is initiated in specified circumstances, submission of the dispute to arbitration does not automatically change the domain name's resolution and the domain may remain suspended for the balance of the registration period. This is a significant operational consequence. It should be highlighted clearly in registrant notices because a registrant may reasonably assume that filing arbitration restores the domain while review is pending. If that assumption is incorrect, the notice must say so plainly.

The UDRP context may involve different domain status consequences, including lock, transfer, cancellation, or delay of implementation depending on the timing and applicable rules. The final materials should provide a concise status table explaining what happens to the domain at each procedural stage: complaint filing, lock, decision, court challenge, arbitration initiation, and final arbitral outcome.

4.7 Provider and Arbitral Institution Consistency

The UDRP and URS are administered through Providers, and arbitration will be administered through designated Arbitral Institutions. Each may have supplemental or applicable rules. The draft materials state that ICANN rules supersede conflicting supplemental or arbitral rules, which is important. However, consistency will also require training, forms, templates, and implementation notes. Otherwise, the same IGO-related procedural issue could be handled differently depending on which Provider or Arbitral Institution is involved.

ICANN should therefore prepare a short implementation toolkit for Providers and Arbitral Institutions. This toolkit should include model notice language, a checklist for IGO Complainant filings, a checklist for registrant arbitration requests, and a cross-reference guide connecting the UDRP, URS, and Policy Guidance provisions.

4.8 Accessibility for Global Participants

Domain name registrants include individuals, small businesses, civil society organizations, and users in jurisdictions where English legal terminology may not be familiar. The notices and guidance should therefore avoid relying only on technical phrases such as “Mutual Jurisdiction,” “privileges and immunities,” “de novo review,” and “Arbitral Institution.” These terms can remain in the legal text, but notices should also explain them in plain language.

The implementation should also consider accessibility for newcomers to ICANN processes. A registrant should not need to understand the history of the 2018 PDP and 2022 EPDP in order to understand what to do after receiving an IGO-related notice. The operational path should be clear from the notice itself.

5. Policy Recommendations

The following recommendations are designed to improve implementation quality without reopening the substantive policy recommendations already adopted by the ICANN Board.

1. Publish an implementation mapping table

Recommendation: ICANN should publish a table mapping each Board-adopted PDP and EPDP recommendation to the specific UDRP, UDRP Rules, URS, URS Rules, and Policy Guidance provisions implementing it.

Rationale: This would allow the community to verify that the final text faithfully implements the adopted recommendations without unintended expansion or omission.

Implementation steps: ICANN org, in consultation with the IRT, should produce the table before final publication and link it from the proceeding archive and implementation page.

Expected benefits: Stakeholders can review the package more efficiently; Providers and Arbitral Institutions can see the policy basis for each operational step.

Success indicators: Publication of a complete mapping table before the effective date; reduced confusion in public comments and implementation questions.

2. Finalize all placeholders before the effective date

Recommendation: The final materials should replace all placeholders such as effective dates, links to Arbitral Institutions, and links to applicable arbitral rules.

Rationale: A registrant cannot meaningfully exercise the arbitration option if the institution, rules, fee schedule, or effective date is unclear.

Implementation steps: Before publication, ICANN should verify that every internal link, date, and cross-reference is complete and functional.

Expected benefits: Users can rely on a self-contained final package; implementation errors are reduced.

Success indicators: No remaining [date], [link], or undefined references in the final documents.

3. Require standardized plain-language notices to registrants

Recommendation: ICANN should require Providers to use model notice language for IGO-related UDRP and URS cases.

Rationale: The registrant must understand court options, possible IGO immunity, arbitration rights, deadlines, fees, and domain status consequences.

Implementation steps: ICANN should create a model notice, require Providers to include it, and translate core notice language where appropriate.

Expected benefits: Registrant awareness improves; procedural challenges based on inadequate notice are reduced.

Success indicators: Provider notices include the model language and clearly identify the ten-business-day deadline.

4. Add non-binding examples of evidence for IGO standing

Recommendation: The Policy Guidance should include examples of documentary evidence that may support IGO status and use of an identifier in public activities.

Rationale: Examples will improve consistency without creating new binding policy requirements.

Implementation steps: Add examples such as founding treaties, charters, UN documentation, official websites, public reports, program materials, and official use of acronyms or names.

Expected benefits: IGOs can prepare better complaints; registrants and panelists can understand the evidence more easily.

Success indicators: Guidance includes an evidence checklist and clarifies that examples are illustrative only.

5. Clarify the meaning of “non-token use”

Recommendation: The final guidance should explain that non-token use requires meaningful use of the identifier in connection with the IGO's public mission, not isolated or artificial use.

Rationale: The phrase is important but may be interpreted inconsistently without explanation.

Implementation steps: Add a short explanatory paragraph and hypothetical examples distinguishing mission-related public use from token use.

Expected benefits: Panels and examiners apply the standard more consistently; overbroad claims are discouraged.

Success indicators: Reduced disputes over whether evidence of public use is sufficient.

6. Publish fee principles for Arbitral Proceedings

Recommendation: ICANN and designated Arbitral Institutions should publish the initial fixed fee, expected cost range, fee-sharing rules, and any refund or fee-shifting principles.

Rationale: Arbitration is a meaningful safeguard only if parties can understand and plan for the cost.

Implementation steps: Require a public fee schedule and a plain-language fee explanation before the effective date.

Expected benefits: Registrants can make informed decisions; IGOs can anticipate cost exposure; access concerns are reduced.

Success indicators: Public fee schedules are available for every designated Arbitral Institution.

7. Harmonize terminology and cross-references across UDRP and URS

Recommendation: ICANN should conduct a final consistency review across the UDRP, UDRP Rules, URS Procedure, URS Rules, and Policy Guidance.

Rationale: The package uses similar but procedure-specific concepts. Unnecessary differences can cause implementation disputes.

Implementation steps: Create a cross-document terminology checklist for terms such as IGO Complainant, Arbitral Proceeding, Mutual Jurisdiction, Business Day, determination, appeal, and domain status.

Expected benefits: Providers and parties can apply the rules consistently across mechanisms.

Success indicators: Final documents use consistent terms except where procedural differences are intentional and explained.

8. Clarify domain status during arbitration

Recommendation: The final materials should include a concise explanation of what happens to the domain name during arbitration in both UDRP and URS contexts.

Rationale: Domain status affects the practical value of the proceeding and may influence whether a registrant chooses to arbitrate.

Implementation steps: Add a short domain status table to the Policy Guidance and model notices.

Expected benefits: Parties understand whether the domain remains locked, suspended, transferred, or otherwise affected.

Success indicators: Domain status rules are clearly explained in notices and guidance.

9. Track and publish aggregate implementation data

Recommendation: ICANN should publish annual aggregate statistics on IGO-related UDRP/URS cases and arbitral proceedings.

Rationale: Because this is a new mechanism, the community needs data to evaluate whether it works in practice.

Implementation steps: Track number of IGO complaints, number of arbitration requests, early arbitration requests, accepted/declined early requests, average duration, fee ranges, and outcomes.

Expected benefits: Community oversight improves without disclosing unnecessary confidential case information.

Success indicators: Annual implementation data is published in a standardized format.

10. Conduct a post-implementation review after 18-24 months

Recommendation: ICANN should review the implementation after a reasonable operational period.

Rationale: A post-implementation review can identify whether the new arbitration path is accessible, predictable, and consistent.

Implementation steps: Conduct review with input from Providers, Arbitral Institutions, registrants, IGOs, GAC, GNSO, ALAC/At-Large, and contracted parties.

Expected benefits: Implementation can be improved based on actual case experience.

Success indicators: A public review report is issued with findings and recommended operational updates.

6. Implementation Roadmap

The recommendations above can be implemented through a phased roadmap that does not delay the overall policy implementation but improves readiness before the effective date and supports accountability after launch.

Phase	Key Actions	Responsible Actors	Expected Output
Phase 1 - Before final publication	Complete placeholders; publish Arbitral Institution list; publish fee schedules; finalize cross-references; prepare implementation mapping table; finalize model notices; add evidence examples to Policy Guidance.	ICANN org, IRT, Providers, Arbitral Institutions	Final documents are complete, self-contained, and ready for implementation.
Phase 2 - Launch and first 6 months	Train Providers, panelists, examiners, registrars, registry operators, and Arbitral Institutions; monitor implementation questions; collect early feedback; verify that notices are being used consistently.	ICANN org, Providers, Arbitral Institutions, Contracted Parties	Parties can use the new process with fewer operational errors.
Phase 3 - 6 to 12 months after launch	Publish initial aggregate data; identify common filing issues; review whether registrants understand arbitration rights; reconcile any URS issues created by RPM Phase 1 updates.	ICANN org, IRT or successor implementation support group	Early operational problems are identified and corrected.
Phase 4 - 18 to 24 months after launch	Conduct post-implementation review; evaluate fee accessibility, timing, domain status rules, consistency across Providers, and early arbitration usefulness.	ICANN org, GNSO, GAC, ALAC/At-Large, Providers, Arbitral Institutions	Community receives evidence-based assessment of whether implementation is working as intended.

7. Stakeholder and Governance Considerations

A good implementation must consider how each stakeholder group will interact with the new framework. The table below identifies practical impacts and safeguards for key stakeholders.

Stakeholder	Implementation Impact	Safeguard Needed
IGO Complainants	Gain access to UDRP/URS without ordinary Mutual Jurisdiction submission in specified cases; must provide evidence of IGO status and agree to arbitration when required.	Need clear filing forms, evidence examples, and clarity on when arbitration is mandatory.
Domain name registrants	May face IGO-related complaints and must decide whether to use court or arbitration options within short deadlines.	Need plain-language notice, fee transparency, domain status explanation, and accessible filing instructions.
UDRP/URS Providers	Must administer complaints with IGO-specific requirements and notices.	Need standardized templates, training, and consistent supplemental rules.
Arbitral Institutions	Will administer binding arbitral proceedings in IGO-related disputes.	Need clear designation, published rules, fee schedules, and intake procedures.
Registrars and registry operators	May need to lock, suspend, transfer, or maintain domain status depending on procedural stage.	Need clear operational instructions and communication requirements.
ICANN org	Responsible for final implementation, publication, coordination, and post-launch monitoring.	Should publish mapping table, guidance, data, and review reports.
GNSO and IRT community	Need assurance that implementation faithfully reflects adopted policy recommendations.	Should receive implementation mapping and post-launch feedback.
GAC and public-interest community	Have interest in IGO protection and legitimacy of dispute mechanisms.	Need transparent guidance and evidence-based review of operational outcomes.
At-Large and civil society users	Represent end-user and registrant concerns, especially for individuals and small entities.	Need accessible notice, affordability safeguards, and transparency.

8. Risk Matrix

The following matrix summarizes the main implementation risks and mitigation measures identified in this submission.

Risk	Impact	Likelihood	Mitigation
Unresolved placeholders remain in final documents	High	Medium	Complete all dates, links, Arbitral Institution references, and cross-references before publication.

Risk	Impact	Likelihood	Mitigation
Registrant does not understand arbitration rights	High	Medium to High	Use mandatory plain-language notices and translated key warnings.
Arbitration is too costly or unpredictable	High	Medium	Publish fee schedules, fixed initial fees, cost ranges, and fee-sharing rules.
IGO standing evidence is applied inconsistently	Medium	Medium	Add non-binding examples of documentary evidence and non-token use.
UDRP and URS terminology diverges unnecessarily	Medium	Medium	Conduct final cross-document harmonization review.
Early arbitration window is unclear or underused	Medium	Medium	Track aggregate requests, acceptances, and denials; explain discretionary nature.
Domain status during arbitration is misunderstood	High	Medium	Add domain status table to guidance and notices.
Provider or Arbitral Institution practices diverge	Medium	Medium	Provide training toolkit and standardized forms.
Implementation cannot be evaluated after launch	Medium	Medium	Publish aggregate data and conduct 18-24 month post-implementation review.

9. Conclusion

The proposed implementation is an important step toward resolving a longstanding challenge in ICANN's rights protection framework. It enables eligible IGOs to use the UDRP and URS without compromising privileges and immunities, while providing registrants with an arbitral review path when court review may be limited. This is a reasonable and constructive implementation direction.

However, the final materials should be strengthened to ensure that the framework is not only legally coherent but also practically usable. The most important improvements are operational: remove placeholders, publish the Arbitral Institution list and fee schedules, standardize notices, clarify evidence standards, explain domain status, harmonize UDRP and URS terminology, and monitor implementation outcomes.

A balanced implementation should preserve the legitimate privileges and immunities of IGOs while ensuring that registrants are meaningfully informed of their rights, able to access review mechanisms, and treated consistently across UDRP and URS

proceedings. With the targeted improvements recommended in this submission, ICANN can implement the adopted policy recommendations in a manner that strengthens fairness, predictability, and trust in the multistakeholder model.

Appendix A. Implementation Checklist

- Confirm that every final document contains the effective date and no unresolved placeholder text.
- Publish a public list of designated Arbitral Institutions and applicable arbitral rules.
- Publish initial fixed fees and fee-sharing principles for arbitral proceedings.
- Create a PDP/EPDP recommendation-to-implementation mapping table.
- Finalize model notice language for IGO-related UDRP and URS cases.
- Add non-binding examples of evidence for IGO status, standing, and non-token use.
- Add a domain status explanation for UDRP and URS stages involving arbitration.
- Check terminology consistency across UDRP, UDRP Rules, URS Procedure, URS Rules, and Policy Guidance.
- Prepare training materials for Providers, examiners, panelists, registrars, registry operators, and Arbitral Institutions.
- Create an aggregate reporting framework for IGO-related complaints and arbitration requests.
- Schedule an 18-24 month post-implementation review.

Appendix B. Suggested Plain-Language Registrant Notice Elements

The following language is offered as a non-binding example of the type of content that should appear in Provider notices when a complaint is filed by an IGO Complainant. It is not intended to replace legal text, but to improve registrant understanding.

Suggested notice concept: *This complaint has been filed by an Intergovernmental Organization (IGO). An IGO may have privileges and immunities that affect whether a national court can hear the merits of a dispute. If a UDRP or URS decision is issued in favor of the IGO, you may have the right to request a binding Arbitral Proceeding through an ICANN-designated Arbitral Institution. Strict deadlines apply. In many cases, the request must be filed within ten (10) business days of the relevant decision or court order. Arbitration may require payment of fees. Filing arbitration may or may not change the status of the domain name while the dispute is pending. Please review the applicable rules, deadlines, fees, and domain status consequences immediately.*

A full notice template should also identify:

- the exact date from which the deadline is calculated;
- the business-day calendar used for the deadline;
- the website and email address for initiating arbitration;
- the initial fee and where to find the full fee schedule;
- whether the domain is locked, suspended, transferred, or unchanged during arbitration;
- the consequence of failing to respond or missing the arbitration deadline;
- where the registrant can find the final UDRP, URS, and Policy Guidance materials.

References

- ICANN. Draft Updates to Implement EPDP Curative Rights Recommendations - Uniform Domain Name Dispute Resolution Policy. For Public Comment. Last updated 10 June 2026.
- ICANN. Draft Updates to Implement EPDP Recommendations - Rules for Uniform Domain Name Dispute Resolution Policy. For Public Comment. Last updated 10 June 2026.
- ICANN. Uniform Rapid Suspension System (URS) Procedure. Draft for Public Comment. Last updated 10 June 2026.
- ICANN. Uniform Rapid Suspension System (URS) Rules. Draft for Public Comment. Last updated 10 June 2026.
- ICANN. ICANN Policy Guidance on IGO Usage of UDRP and URS. Draft IGO-INGO Curative Rights Policy Guidance for Public Comment. Last updated 17 June 2026.
- GNSO. Final Report on the IGO-INGO Access to Curative Rights Protection Mechanisms Policy Development Process. 2018.
- GNSO. Final Report from the Expedited Policy Development Process Team on Specific Curative Rights Protections for IGOs. 2022.
- GNSO Council. Resolution on IGO-INGO Curative Rights Implementation Review Team. 15 January 2026.