

Link to Google Doc: [https://docs.google.com/spreadsheets/d/1EKpMCef8kiZ2tJE2AU78q9\\_oeJehGbR7bWpQ5wt7D5l/edit#gid=853107611](https://docs.google.com/spreadsheets/d/1EKpMCef8kiZ2tJE2AU78q9_oeJehGbR7bWpQ5wt7D5l/edit#gid=853107611)

PDP Topic	Short Description	Description	Negative Impact Scenario(s)	Impacted Groups	Severity of impact	Positive Impact Scenario(s)	Salient Human Rights	Relevant CCWG Focus	Recommendation	Relevant links
Appeals	General lack of appeals mechanism	IRP is very formal (lawyers on both sides) expensive, and long — takes anywhere from 6-18 months. Also only covers procedural ground, not actions made on substantive / technical grounds.	Under-resourced or inexperienced applicants have no access to due process or recourse.	- Minority / local communities - Not-for-profits - Global South applicants	High		- Equal treatment / non- discrimination - Procedural fairness / due process	Accountability	Create streamlined, transparent, dedicated appeals.	
Applicant Guidebook	Selection criteria	Selection criteria in Applicant Guidebook too general and not interpreted consistently	Application unsuccessful as a result of irregular processes or knowledge asymetries	- Minority / local communities - Not-for-profits	Low		- Equal treatment / non- discrimination - Procedural fairness / due process	Transparency	Ensure that selection criteria are clearly explained to applicants and implemented consistently	<a href="https://newgtlds">https://newgtlds</a>
Applicant Support Program	Fee / cost information	Applicants not provided with sufficient information on overall fees for costs	Applicants under-budget or over-commit resources	- Minority / local communities - Not-for-profits	High		- Equal treatment / non- discrimination		Provide clear and accurate information about estimated costs of the entire process at the outset	<a href="https://newgtlds">https://newgtlds</a>
Applicant Support Program	Deadline notice	Applicants not provided with sufficient information regarding deadlines and time required to complete process	Application unsuccessful due to missed deadlines	- Minority / local communities - Not-for-profits	Medium		- Equal treatment / non- discrimination	Diversity	Provide adequate information about estimated time to complete application; notify applicants of deadlines	<a href="https://newgtlds">https://newgtlds</a>
Applicant Support Program	Notice of scoring practice	Unclear to applicants what criteria / which scoring practice will be used in selection practice	Application unsuccessful as a result of knowledge asymetries	- Minority / local communities - Not-for-profits	Medium		- Procedural fairness / due process - Equal treatment / non- discrimination	Transparency	Clarify scoring practice and ensure its consistent implementation	<a href="https://newgtlds">https://newgtlds</a>
Application Process	Changes to application	Unlimited changes permitted to application fields after submission	Applicant modifies application fields 18A (mission and purpose) and 18B (benefit to registrants + internet users), challenging/thwarting community oversight		Medium	Applicants can update information about their business if circumstances change (point of contact, address, etc)		Transparency	Registries should be bound to the description in their application, unless changes are initiated through formal processes and agreed upon with community	
Community Priority Evaluation	Panelist affiliations	CPE Panelists' professional background and affiliations not disclosed	Certain applicants may be favored, better understood, etc based on the composition of the panel	- Minority / local communities	High		- Equal treatment / non- discrimination	Transparency	Binding obligation that panelists' professional background and affiliations be published	<a href="https://newgtlds">https://newgtlds</a>
Community Priority Evaluation	Insufficient accountability mechanisms	Proliferation of insufficient accountability mechanisms: Reconsideration Request, Cooperative Engagement Process, Independent Review Process, Ombudsman	Applicants have no access to effective grievance mechanisms / remedy	- Minority / local communities - Not-for-profits	High		- Economic, Cultural, and Social Rights		Develop effective unified appeal mechanism to an independent review board	<a href="https://newgtlds">https://newgtlds</a>
Community Priority Evaluation	Ultimate responsibilities	Unclear attribution of responsibility for decision-maker (ICANN or external contractors?)	CEP panel not accountable for decisions; escalation path unclear		High		- Fairness / due process - Effective remedy	Accountability	Clearly delineate roles and responsibilities	
Community Priority Evaluation	Public interest commitments	Unclear to what extent CPE panelists are aware or acting on behalf of ICANN's public interest commitments	CEP panelist undermines ICANN's public interest commitments		High		- Equal treatment / non- discrimination	Accountability	Require that all panelists sign off on ICANN's public interest commitments before making decision	
Community Priority Evaluation	CPE panel composition	CPE panel experts do not have relevant background in community and human rights	Narrow interpretations of "public interest" disadvantage certain applicants in the evaluation process	- Minority / local communities - Not-for-profits	Medium		- Procedural fairness / due process - Equal treatment / non- discrimination	Human Right	Include someone with a human rights background in the pool of CPE panelists.	<a href="https://newgtlds">https://newgtlds</a>
Community Priority Evaluation	Conflict of interest	CPE panels have insufficient safeguards against conflict of interest	Applicants disadvantaged in the evaluation process; less opportunity for community oversight and action	- Minority / local communities - Not-for-profits	Medium		- Economic, Cultural, and Social Rights - Procedural fairness / due process		Increase transparency around panel composition and background to allow for community oversight; improve guidelines and documentation of justification	<a href="https://newgtlds">https://newgtlds</a>
Community Priority Evaluation	Language and accessibility	CPE panels held online in UN languages using a form of discourse approaching US legalese	Community applicants promoting diversity and genuinely serving the global public interest have uneven bargaining power	- Non-UN language communities	Medium		- Economic, Cultural, and Social Rights	Diversity	Hold panels using language that is as accessible and easily translated as possible.	<a href="https://newgtlds">https://newgtlds</a>
Community Priority Evaluation	Inadequate documentation	CPE panels' research supporting findings or argumentation not adequately presented in determination	Applicants have fewer grounds for appeal		Medium		- Fairness / due process - Effective remedy		Create and enforce guidelines for robust and consistent documentation of proceedings, justification, rationale, etc	
Community Applications	CPE & community objections	Applicants aren't permitted to pursue both Community Objections and Community Priority Evaluations for the same string	Valid communities are denied access to different safeguards provided by each process		Low		- Due Process - Equal treatment / non- discrimination		Allow community applicants access to sufficient safeguards to ensure that the process isn't biased against small or under-resourced players	

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PDP Topic	Short Description	Description	Negative Impact Scenario(s)	Impacted Groups	Severity of impact	Positive Impact Scenario(s)	Salient Human Rights	Relevant CCWG Focus	Recommendation	Relevant links
Dispute Resolution	Redress	No effective redress mechanism exists for ICANN dispute resolution processes	Affected parties do not receive redress for abuses		High		- All (general)	Accountability	Ensure availability of effective and accessible redress mechanisms.	
Dispute Resolution	Appeal mechanisms	No effective substantive appeal mechanism exists for ICANN dispute resolution processes.	Affected parties or their legitimate representatives have no access to recourse and can't raise concerns when they believe public interest or human rights commitments have not been met.		High		- All (general)	Accountability	Ensure availability of effective and accessible substantive appeal mechanisms.	
Dispute Resolution	Liability for damages	Nobody (not the experts, service provider, ICANN, or their respective employees) are liable for any damages or injunctive relief	No attribution of responsibility for fair and adequate examination of cases.		High		- Procedural fairness / due process		Develop and enforce fair trial standards, which include provisions for independency, accountability, and transparency	See Applicant C
Dispute Resolution	Proliferation of processes	Proliferation of processes (UDRP, URS, PDDRP, RRDRP, TDRP, PICDRP...) makes it unclear where and how to resolve disputes	Rightsholders are unable to lodge grievances due to lack of procedural coherence		High		- Procedural fairness / due process	Diversity	Establish single dispute resolution center within ICANN based on substantive and procedural grounds.	
Dispute Resolution	Remote hearings	Disputes resolved without an in-person hearing. Panel may decide to hold such a hearing only in extraordinary circumstances.	Lack of community involvement / oversight; applicants unable to present responses to counter-arguments		Low	Not having mandatory in-person hearings could make the dispute resolution process more efficient	- Procedural fairness / due process - Effective remedy		Clearly define what constitutes "extraordinary circumstances"	See Applicant C
Dispute Resolution	Insufficient documentation	Dispute Resolution Service Providers' determinations not uniformly justified or documented	Difficult for community to process and track decisions; unpredictable / unfair outcomes		Medium		- Procedural fairness / due process	Accountability	Common template used for all DRPs for quality assurance	<a href="https://newgtlds">https://newgtlds</a>
Dispute Resolution	Lack of guidelines	Implementation guidelines for service providers and evaluators do not specify which rights should be considered throughout the process	Freedom of Expression and other rights not properly considered throughout evaluation / objection processes, Requests for Reconsideration, and/or Independent Review Panel		Medium		- Freedom of Expression - All (general)	Accountability	Specific implementation guidelines should be developed to ensure consistent respect for human rights in evaluation and dispute resolutions	Initial report. 2.
Dispute Resolution	Atomistic evaluation	Policy principles and legitimacy of interests evaluated in isolation.	Skewed outcomes where approved policies goals are incongruent or otherwise seem in conflict		Medium		- All - Procedural fairness / due process		Policy principles should be evaluated through a balancing of legitimate interests, with respect for fundamental human rights paramount	Initial report. 2.
Fees / Costs	High costs	Fees and costs set in \$USD at level appropriate for commercial market players	Under-resourced applicants from smaller communities or developing economies priced out of acquiring TLDs	- Minority / local communities - Not-for-profits - Global South	High		- Equal treatment / non-discrimination	Transparency	Variable fees reflecting ICANN's global public interest should be supported.	
Predictability Framework	IRT composition	Implementation Review Team mostly consists of representatives from registries and registrars	Members of the Implementation Review Team make decisions that negatively impact human rights		High		- Freedom of Expression	Human Right	Ensure that have inadequate knowledge and training in human rights	
Public Interest	Definitions and interpretations	Global public interests interpreted inconsistently in ICANN decision-making processes	Conflicting definitions or interpretations render the term moot and ultimately undermine ICANN's public interest commitments and standards for accountability	- Groups actually serving the global public interest	High		All (General)	Diversity	Harmonize definitions and interpretations of Public Interest, taking the ICANN Human Rights Core Value and other WS2 recommendations into consideration.	
Public Interest	Spec 11	ICANN's "Spec 11" public interest commitments do not include mention of human rights	Salient rights (FoE, privacy, association, etc) not considered		High		All (General)	Human Right	<b>Update Spec 11 to reflect ICANN's Human Rights bylaw</b>	
Public Interest	Limited Public Interest Objections	Limited Public Interest objections can be filed if TLD strings are "contrary to general principles of law for morality and public order." ALAC provided with funds to do so.	gTLD applicants and end users aren't aware of this mechanism and can't protect their rights.		Low	The community makes use of this mechanism to contest strings that may violate fundamental human rights	All (General)	Accountability	Make use of this tool?	<a href="https://icwbo.c">https://icwbo.c</a>
Public Interest	PICs	Striated "Public Interest Commitments" (for example, mandatory vs voluntary PICs)	Oversight more difficult; false sense of security; more room to manoeuvre and get around commitments		Medium				Consolidate Public Interest Commitments; ensure that they're in-line with international human rights standards and best practices.	