

TRANSITION PROCESS OF RECONSIDERATION RESPONSIBILITIES FROM BOARD GOVERNANCE COMMITTEE TO BOARD ACCOUNTABILITY MECHANISMS COMMITTEE

EXECUTIVE SUMMARY:

As part of its approval of the Fundamental Bylaws amendment redesignating the Reconsideration responsibilities under Article 4, Section 4.2 of the ICANN Bylaws, the ICANN Board committed that there would be minimal impact on reconsideration requestors with requests pending at the time of the transfer of the Reconsideration responsibilities from the Board Governance Committee (BGC) to the Board Accountability Mechanisms Committee (BAMC). (See [Resolution 2017.05.8.07](#); see also, [Rationale for Resolutions 2017.08.17.01 – 2017.08.17.03](#).) The Board directed the BGC to coordinate with the BAMC in this effort. (See *id.*)

The following sets forth a transition process to reduce the impact on any requestors of pending Reconsideration requests that were submitted prior to the transfer of the Reconsideration responsibilities to the BAMC.

PENDING RECONSIDERATION REQUESTS

It is anticipated that the following eight Reconsideration Requests will be pending when the BAMC is re-slated at the Board's Annual Meeting on 3 November 2017:

- Request 14-30: Dot Registry, LLC (.LLC)
- Request 14-31: Dot Registry, LLC (.INC)
- Request 14-33: Dot Registry, LLC (.LLP)
- Request 14-42: Ministry of Industry, Trade, Investment and Digital Economy of the Kingdom of Morocco (.TATA)¹
- Request 16-3: dotgay LLC (.GAY)
- Request 16-5: DotMusic Limited (.MUSIC)
- Request 16-8: CPA Australia Limited (.CPA)
- Request 16-10: gTLD Registries Stakeholder Group²
- Request 16-11: Travel Reservations SRL, Spring McCook, LLC, Minds + Machines Group Limited, Famous Four Media Limited, dot Hotel Limited, Radix FZC, dot Hotel Inc., Fegistry, LLC (.HOTEL)
- Request 16-12: Merck KGaA (.MERCK)

¹ The issues relating to this Request have been resolved. ICANN organization is trying to see if the Request can be withdrawn.

² The issues relating to this Request have been resolved. ICANN organization is trying to see if the Request can be withdrawn.

TRANSITION PROCESS

- **Ensure complete transfer of documentation** – The BGC will ensure that ICANN organization provides the following to the new BAMC as soon as feasible after the BAMC is re-slotted the Board’s Annual Meeting on 3 November 2017:
 1. Process roadmap of the Reconsideration process.
 2. The complete files of the pending Reconsideration Requests.
 3. The transcripts of all BGC or Board meetings that discussed any of the pending Reconsideration Requests.
 4. All materials that have been prepared for the BGC and/or Board’s consideration to date relating to the pending Reconsideration Requests.
 5. A chronology of key events/activities relevant to each pending Request.
 6. Copies of the recordings of all presentations made by any of the Requestors to the BGC.

- **Provide the Requestors the opportunity to make an oral presentation to the BAMC.** – The BAMC should allow all requestors of pending requests to make an oral presentation to the BAMC, including the following requestors who have presented to the BGC.
 - Request 16-3 – oral presentation on 15 May 2016
 - Request 16-5 – oral presentation on 17 September 2016
 - Request 16-11 – oral presentation on 16 December 2016
 - Request 16-12 – oral presentation on 29 March 2017

- **Re-evaluation any merits recommendation that have been issued by the BGC -** Except for Request 16-3, none of the pending Requests have been evaluated by the BGC. For Request 16-3, the BAMC should review the BGC’s Recommendation and either issue a BAMC recommendation adopting the BGC’s conclusions, or issue a new recommendation.