

IRP-IOT Items proposed for further work:

- (DM) To develop a recall process relating to members of the standing panel – see Bylaw 4.3(j)(iii);
- (DM) To consider the development of additional independence requirements for members of the standing panel, including term limits and restrictions on post-term appointment to other ICANN positions – see Bylaw 4.3(q)(i)(B) on conflicts of interests of members of the standing panel;
- (DM) Do we want to establish ‘limitations’ on appeals? – see Bylaw 4.3(w) which states:
  - ***Subject to any limitations established through the Rules of Procedure, an IRP Panel decision may be appealed to the full Standing Panel sitting en banc within sixty (60) days of issuance of such decision.***
    - One possible limitation which I think we may want to consider is whether non-binding IRPs (see Bylaw 4.3(x)(iv)) should be appealable.
    - Additionally, in this respect, is it within our remit to consider whether non-binding IRPs should constitute precedent?
- (DM) Is there ambiguity regarding a standing panel’s ability to ‘adjudicate’ a stay of ICANN action or just to ‘recommend’ a stay? See Bylaws 4.3(o) and 4.3(p). If there is ambiguity, is there anything within our remit to help clarify?
- (DM) Finally, with respect to the Rule 4 (Time for Filing) issue that we are currently discussing, should we clarify that the rule we eventually develop is either an affirmative defense that ICANN can raise, or not, as it sees fit or, alternatively, a firm matter of standing that the panel should invoke on its own without exemption, subject only to the savings language that Sam and Liz are working on?
- (MR) Who should pay filing fees?