



Why is PIR launching this Appeals Process?

As an exemplary registry, we think it's the right thing to do. Like many registries and registrars, PIR maintains an internal process where a registrant can ask us to reverse our decision to suspend a domain name for abuse. This internal process still exists as the initial escalation path for registrants, but we think due process means more than that, and should include a right to redress by a neutral third party.

The development of this appeals process is consistent with the **recommendations** in our human rights assessment made by the Danish Institute on Human Rights and Article19 aimed to "address the rights of observation of due process, freedom of expression, and access to remedy" in instances of suspension of a domain name for abuse. It also echoes the recommendations of the **Internet and Jurisdiction Policy Network** for a formalized appeal process for registries and registrars. Finally, a commitment to due process is one of the cornerstones of PIR's own **Anti-Abuse Principles**.



Does this process mean PIR is expanding the scope of its Anti-Abuse Program? Does this mean more 'content' suspensions are forthcoming?

No and no. This process simply creates a new right for .ORG registrants. Under this process .ORG registrants will have the ability to have a suspension for abuse reviewed by a neutral third party without going to court. This right does not exist in other gTLDs.

This process does not expand or alter PIR's Anti-Abuse Program, which focuses almost entirely on DNS abuse rather than website content abuse questions. In fact, in 2019, PIR worked with our registrar partners in suspending more than 6,500 .ORG domain names for instances of DNS Abuse and in comparison, PIR suspended a total of eleven domain names for website content abuse questions (8 for Child Sexual Abuse Materials and 3 for having sites dedicated to the illegal distribution of opioids online).



What can I appeal through this procedure?

This mechanism applies to domain names suspended by PIR under its Anti-Abuse Policy.



Where can I find PIR's Anti-Abuse Policy?

It's available here: <https://thenew.org/org-people/about-pir/policies/org-idn-policies/anti-abuse-policy-org-idn/>



How much does an appeal cost?

The administrator of the process is **FORUM** and it charges a \$1,200.00 USD per case. PIR subsidizes \$700 of each of these cases and the appellant is responsible for paying the remaining \$500 to FORUM. These fees are non-refundable, but in the event an appellant is successful in challenging PIR's decision, PIR will reimburse the appellant its \$500 fee.



When is the fee due?

Within 10 days of the appellant filing its notice of appeal.



What language can I submit documents?

For now, all submissions must be in English. Parties may submit supporting evidence in other languages if it is accompanied by a certified English translation.



How long do I have to appeal a domain name suspension?

- A registrant has 60 days to contact PIR and explain why it thinks PIR's suspension of the domain name(s) was incorrect.
- PIR will engage with the registrant at that time and may reverse the suspension without need to go through the formal appeals process.
- The registrant has 15 days to file a notice of appeal after the earlier of (1) PIR notifying the registrant that it will not lift the suspension or (2) within 7 days of PIR's receipt of the initial notice provided by the registrant.



Can I appeal the suspension of more than one domain name?

Yes, if an appellant has more than one domain name suspended at the same time and for the same reason, all of those domain names can be consolidated into a single appeal.



Who will decide if my domain should remain suspended?

FORUM appoints a neutral panelist from its roster.

- Information regarding the qualification for FORUM's arbitrators is available here: <https://www.adrforum.com/assets/resources/Neutrals/forum%20Arbitrator%20and%20Mediator%20Qualifications%20Final.pdf>
- The code of ethics that binds FORUM panelists can be found here: <https://www.adrforum.com/assets/resources/Neutrals/forum%20Code%20of%20Ethical%20Conduct%20for%20Arbitrators%201.27.2015.pdf>

FORUM will notify the registrant and PIR of the selected panelist. The registrant or PIR party may each veto or "strike" 1 panelist by filing a notice of removal with FORUM within 15 days after the date of FORUM's communication of a panelist. Either party may also seek disqualification of a panelist if there is potential conflicts.



What is the standard of review of my appeal?

Whether PIR was reasonable in application of its Anti-Abuse Policy.



How long will this process take?

After the parties make their submissions, the panelist must make a decision within 10 days, or extend the time period in order to obtain additional information required to resolve the dispute.



What if I miss a deadline?

You can request an extension prior to missing a deadline or file a late submission along with a late fee of \$100. FORUM will not accept a late submission unless the late fee is timely paid. A late submission will not be accepted after the 10-day deadline.



What happens if I prevail?

If appellant wins its appeal, PIR will reverse the suspension within 7 days and reimburse the appellant its \$500 filing fee within 30 days. If the suspension is upheld by the panelist, the domain name will remain suspended and no refund will be given.



Can I withdraw my appeal?

Yes, though the fees submitted to FORUM are non-refundable. Additionally, the parties may resolve an appeal by mutual agreement at any time prior to the issuance of a decision. In the event of such a settlement, the parties will jointly notify FORUM of the same in writing.