

# New gTLD Subsequent Procedures Pending Recommendations - GNSO Council Clarifying Statement

## Introduction

In the ICANN Board's [resolution](#) at ICANN76 regarding New gTLD Subsequent Procedures, 38 recommendations were placed into a pending state as documented in [Section B](#) of the Scorecard. The GNSO Council established a small team to try and identify paths forward for all of the pending recommendations, with those paths to be mutually agreed upon between the GNSO Council and ICANN Board. The Council and Board discussed the expectation that for certain recommendations, a Clarifying Statement from the Council should be sufficient to mitigate Board concerns that prevented adoption of the recommendations. This document is intended to formally capture and document clarifying information from the GNSO Council.

# Clarifying Statements

The recommendations that the GNSO Council and ICANN Board agreed can be resolved via a Clarifying Statement from the GNSO Council are:

- Topic 9: Registry Voluntary Commitments / Public Interest Commitments - Recommendations 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13
- Topic 30: GAC Consensus Advice and GAC Early Warning - Recommendation 30.7
- Topic 31: Objections - Recommendations 31.16, 31.17

## Topic 9: Registry Voluntary Commitments / Public Interest Commitments - Recommendations 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13, 9.15

Recommendations 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13: The GNSO Council confirms that any new Public Interest Commitments (PICs) or Registry Voluntary Commitments (RVCs) must be enforceable under the ICANN Bylaws and as a practicable matter. In respect of RVCs, both ICANN org and the applicant must agree that a proffered commitment is clear, detailed, mutually understood, and sufficiently objective and measurable as to be enforceable. And further, the Council observes that among the purposes of PICs / RVCs is to address public comments, in addressing strings deemed highly sensitive or related to regulated industries, objections (whether formal or informal), GAC Early Warnings, and/or GAC Consensus Advice. This clarifying statement is made with the understanding that the ICANN Board will have a community-wide conversation on PICs/RVCs.

## Topic 30: GAC Consensus Advice and GAC Early Warning - Recommendation 30.7

Please see the Council's clarifying statement for Recommendations 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13.

## Topic 31 Objections - Recommendations 31.16, 31.17

Please see the Council's clarifying statement for Recommendations 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13.