

## **Motion to Approve Supplemental Recommendations for the Non-Adopted New gTLD Subsequent Procedures PDP Recommendations**

Submitted by: Paul McGrady

Seconded by: TBD

WHEREAS,

1. The GNSO Council [adopted](#) the [Final Report](#) of the New gTLD Subsequent Procedures (SubPro) PDP on 18 February 2021.
2. On 16 March 2023, the ICANN Board adopted the majority of the SubPro Outputs, as identified in [Section A of the Scorecard](#), while designating a select set of recommendations as pending, identified in [Section B](#) of the Scorecard.
3. The GNSO Council established a small team to carefully review the pending SubPro recommendations and identify the best path forward to seek to resolve the issues that were preventing Board adoption of the pending recommendations.
4. On 21 September 2023, the GNSO Council resolved to approve a [Clarifying Statement](#) which was followed by the Council's approval of a second [Clarifying Statement](#) on 16 October 2023.
5. On the basis of the two Clarifying Statements, the ICANN Board was able to adopt a majority of the pending SubPro recommendations on [10 September 2023](#) and [26 October 2023](#).
6. In those same September ([Board Statement](#)) and October ([Board Statement](#)) resolutions, the Board also non-adopted a subset of recommendations pertaining to six topics (Topic 9: Registry Voluntary Commitments / Public Interest Commitments, Topic 17: Applicant Support, Topic 18: Terms & Conditions, Topic 22: Registrant Protections, Topic 24: String Similarity Evaluations, and Topic 32: Limited Challenge/Appeal Mechanism)
7. The ICANN Bylaws foresee that in case of non-adoption, "the Council shall review the Board Statement for discussion with the Board as soon as feasible after the Council's receipt of the Board Statement".
8. The GNSO Council and ICANN Board elected to discuss the Board Statement, as foreseen under the ICANN Bylaws, during their [joint session at ICANN78](#).
9. The GNSO Council convened a Small Team Plus, which included liaisons from the ICANN Board and participants from the GAC and ALAC, to seek to develop Supplemental Recommendations for the non-adopted recommendations.
10. The Small Team Plus provided numerous updates to the GNSO Council as the Supplemental Recommendations were developed, to better ensure that the Council was aware of the expected outcomes from the Small Team Plus.
11. During the Council's February 2024 meeting, the Small Team Plus provided an update on the proposed language for all Supplemental Recommendations.
12. The Small Team Plus held a [prep-week webinar](#) in advance of ICANN79 in order to also inform the broader community of the proposed language for all Supplemental Recommendations.

13. During ICANN79, the Small Team Plus held a [community consultation](#) to gather feedback or suggestions on needed changes to any of the Supplemental Recommendations; no changes were identified.
14. On [date], the Small Team Plus shared the final Supplemental Recommendations and explanations for the Supplemental Recommendations with the GNSO Council which are connected to the following topics: Topic 9: Registry Voluntary Commitments / Public Interest Commitments, Topic 17: Applicant Support, Topic 18: Terms & Conditions, Topic 24: String Similarity Evaluations, and Topic 32: Limited Challenge/Appeal Mechanism.

RESOLVED,

1. The GNSO Council approves the Supplemental Recommendations for the non-adopted SubPro recommendations and instructs the GNSO Secretariat to transmit the Supplemental Recommendations to the ICANN Board.