

Reconsideration regarding Community Consultation on PICs/RVCs

Date: 12 April 2024

To: Tripti Sinha, Chair ICANN Board of Directors

CC: Katrina Sataki & Patricio Poblete, ccNSO Appointed members of the Board

Dear Tripti,

I am writing to you in response to your letter dated 28 March 2024, requesting the ccNSO to reconsider providing input to the [following] questions, particularly regarding the consultation topic 2 concerning the ICANN Bylaws.

1. To solicit community feedback on a proposed framework for the implementation of these recommended commitments in the New gTLD Program: Next Round.

2. To ensure the Board understands whether the broader ICANN community supports ICANN's enforcement of contractual terms that could be argued to regulate content in gTLDs and, if so, whether the community also supports an amendment to the ICANN Bylaws to clarify ICANN's ability to do so.

After careful consideration, we still do not see conditions which warrant our participation in the implementation of the next round of new gTLDs, which includes "Supporting ICANN's enforcement of contractual terms that could be argued to regulate content in gTLDs".

As to the potential amendment to the ICANN Bylaws to clarify ICANN's ability to enforce contractual terms that could be argued to regulate content in gTLDs, we note that without a concrete proposal we are not in a position to express the support or lack thereof for such a potential Bylaw change.

On behalf of the ccNSO Council, kind regards,

Alejandra Reynoso
Chair of the ccNSO Council