**1.         MOTION – Acceptance of the Report from the GNSO Bylaws Implementation Drafting Team and next steps**

**(Motion deferred to 7 November 2016 from 13 October 2016)**

**Made by: James Bladel**

**Seconded by: Rubens Kuhl**

WHEREAS:

1. On 30 June 2016 the GNSO Council approved the creation of a Drafting Team (DT) that was to work with ICANN staff to “fully identify all the new or additional rights and responsibilities that the GNSO has under the revised Bylaws, including but not limited to participation of the GNSO within the Empowered Community, and to develop new or modified structures and procedures (as necessary) to fully implement these new or additional rights and responsibilities”;
2. In creating the DT, the GNSO Council requested that the DT provide the GNSO Council with an implementation plan “which will have the consensus of the Drafting Team, including any recommendations for needed further changes to ICANN Bylaws and/or GNSO Operating Procedures to enable effective GNSO participation in ICANN activities under the revised ICANN Bylaws, not later than 30 September 2016”;
3. During the course of the DT’s work, strongly divergent views were expressed on the role of the GNSO Council in the Empowered Community, leading to the production of a Final Report which included a minority report; and
4. The DT submitted its Final Report to the GNSO Council on 12 October 2016 ([https://gnso.icann.org/en/drafts/bylaws-drafting-team-final-report-12oct16-en.pdf)](https://gnso.icann.org/en/drafts/bylaws-drafting-team-final-report-12oct16-en.pdf%29). The GNSO Council has reviewed the DT’s report.

RESOLVED:

1. The GNSO Council accepts the recommendations in the DT’s report as submitted.
2. The GNSO Council directs ICANN Policy Staff to draft proposed language for any necessary modifications or additions to the GNSO Operating Procedures and, if applicable, those parts of the ICANN Bylaws pertaining to the GNSO. The GNSO Council requests that ICANN Legal evaluate whether the proposed modifications are consistent with the post-transition Bylaws and report their findings to the GNSO Council.
3. PolicySas needed
4. In acknowledgement of the divergent views within the DT, the GNSO Council directs ICANN Policy Staff to post the DT Final Report, including the minority report, and all proposed modifications or new procedures for public comment for no less than 40 days. The GNSO Council expects that any comments received will be given meaningful consideration.
5. As resolved previously, the GNSO Council intends to subject the adoption of the proposed modifications to existing procedures and/or ICANN Bylaws to a GNSO Supermajority vote.
6. The GNSO Council thanks the DT for its collaborative effort, especially in view the limited time frame available to the DT.