**Draft Motion – Adoption of Revised GNSO Operating Procedures and Proposed Modifications of the ICANN Bylaws consistent with the recommendations of the Bylaws Drafting Team.**

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. 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>);

1. On 1 December 2016, the GNSO Council accepted the recommendations in the DT's Final Report and directed 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 also requested that ICANN Legal evaluate whether the proposed modifications were consistent with the post-transition Bylaws and report their findings to the GNSO Council;
2. Staff worked with the Bylaws DT to address any open issues, inconsistencies identified and confirm assumptions. As a result, the staff report on how each recommendation was addressed as well as proposed changes to GNSO Operating Procedures & ICANN Bylaws were published for public comment on 19 June 2017 (see <https://www.icann.org/public-comments/gnso-op-procedures-2017-06-19-en>);
3. The public comment period closed on 10 August 2017, with the report of public comments published on 1 September 2017 (see <https://www.icann.org/en/system/files/files/report-comments-gnso-op-procedures-31aug17-en.pdf>).
4. The GNSO Council reviewed and discussed the proposed changes as well as comments received during subsequent meetings in September and October and during the GNSO Council Strategic Planning Session (29-31 January 2018).
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.

RESOLVED:

1. The GNSO Council adopts the proposed modifications to the GNSO Operating Procedures (see <https://gnso.icann.org/en/council/proposed-revisions-gnso-op-procedures-redline-19jun17-en.pdf>), including the two minor updates as suggested by staff in the report of public comments in response to input received from the Registrar Stakeholder Group and Intellectual Property Constituency.
2. The GNSO Council instructs ICANN staff to post the new version of the GNSO Operating Procedures, effective immediately upon adoption.
3. The GNSO Council recommends that the ICANN Board of Directors adopt the proposed changes to section 11.3.i of the ICANN Bylaws to reflect new GNSO voting thresholds which are different from the current threshold of a simple majority vote of each House (see <https://www.icann.org/en/system/files/files/proposed-revisions-bylaws-article-11-gnso-redline-19jun17-en.pdf>). Until such time as the ICANN Board adopts the proposed changes to section 11.3.1 of the ICANN Bylaws, the existing voting thresholds will remain applicable to any GNSO Council decision.