Motion on CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations
Made by: James Bladel
Seconded by:

Whereas,

1. The GNSO Council, together with other ICANN Supporting Organizations and Advisory Committees, chartered the Cross-Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) on 13 November 2014 'to deliver proposals that would enhance ICANN's accountability towards all stakeholders.
2. The CCWG-Accountability published its third draft proposal for public comment on 30 November 2015 (see https://www.icann.org/public-comments/draft-ccwg-accountability-proposal-2015-11-30-en).
3. All GNSO Stakeholder Groups (SGs) and/or Constituencies (Cs) submitted their input on the third draft proposal and its 12 recommendations.
4. The GNSO Council submitted input on the third draft proposal on 22 January 2016 (see http://gnso.icann.org/en/correspondence/gnso-council-to-ccwg-accountability-22jan16-en.pdf).
5. The CCWG-Accountability reviewed all the input received and submitted its Supplemental Final Proposal on Work Stream 1 Recommendations to the Chartering Organizations on 23 February 2016 (see https://www.icann.org/news/blog/ccwg-accountability-delivers-report-to-chartering-organization) for their consideration.
6. The GNSO Council has confirmed with the leadership of the CWG to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) that conditions identified in its approval of its Final Report have been met (include link)
7. The Stakeholder Groups and Constituencies of the GNSO have considered the Supplemental Final Proposal on Work Stream 1, and the GNSO Council has discussed these positions at the ICANN 55 meeting in Marrakesh, Morocco.

Motion on CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations
Made by: James Bladel
Seconded by:

Resolved,

1. The GNSO Council adopts the CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations (see https://community.icann.org/x/8w2AAw) and more specifically the following recommendations:

    a. Recommendation #1: Establishing an Empowered Community for Enforcing Community Powers
    b. Recommendation #2: Empowering the Community through Consensus: Engagement, Escalation, and Enforcement
    c. Recommendation #3: Standard Bylaws, Fundamental Bylaws and Articles of Incorporation
    d. Recommendation #4: Ensuring Community Involvement in ICANN Decision-making: Seven New Community Powers
    e. Recommendation #5: Changing Aspects of ICANN's Mission, Commitments, and Core Values
    f. Recommendation #6: Reaffirming ICANN's Commitment to Respect Internationally Recognized Human Rights as it Carries out its Mission
    g. Recommendation #7: Strengthening ICANN's Independent Review Process
    h. Recommendation #8: Improving ICANN's Request for Reconsideration Process
    i. Recommendation #9: Incorporating the Affirmation of Commitments in ICANN's Bylaws
    j. Recommendation #10: Enhancing the Accountability of Supporting Organizations and Advisory Committees
    k. Recommendation #11: Board Obligations with Regard to Governmental Advisory Committee Advice (Stress Test 18)
    l. Recommendation #12: Committing to Further Accountability Work in Work Stream 2

2. The GNSO Council instructs the GNSO Secretariat to share the results of this motion with the Chairs of the CCWG-Accountability as soon as possible.
3. The GNSO Council wants to express its sincere appreciation to the CCWG-Accountability, the GNSO members and participants in that effort, and especially the GNSO appointed Chair, Thomas Rickert, for all their hard work and delivery of Supplemental Final Proposal on Work Stream 1 Recommendations.

2. Motion to Approve the Charter for the Working Group to conduct a Policy Development Process (PDP) on a Review of All Rights Protection Mechanisms (RPMs) in All Generic Top-Level Domains (gTLDs).
 Made by: Phil Corwin
Seconded by: Heather Forrest

WHEREAS:
1. On 18 February 2016, the GNSO Council resolved to initiate a two-phased GNSO Policy Development Process (PDP) to review all Rights Protection Mechanisms (RPMs) in all Generic Top-Level Domains (gTLDs);
2. The GNSO Council has reviewed the Draft Working Group Charter that was included in Annex A to the Final Issue Report, as delivered to the GNSO Council on 11 January 2015;
3. The GNSO Council decided to form a sub group of Councilors to consider all options available for conducting the PDP;
4. The Council sub group considered all the alternatives suggested during the public comment period to the Preliminary Issue Report for this PDP; and
5. The GNSO Council has reviewed the sub group's conclusions with respect to possible amendments to the proposed Working Group Charter [INSERT LINK].

RESOLVED:
1. The GNSO Council approves the amended Charter and appoints PLACEHOLDER as the GNSO Council liaison to the PDP Working Group for the Review of All RPMs in All gTLDs.

2. The GNSO Council directs ICANN staff to issue a call for volunteers for the PDP Working Group after the approval of this motion. The call for volunteers should be circulated as widely as possible in order to ensure broad representation and participation in the Working Group and initiated no later than PLACEHOLDER.
    a. Until such time as the PDP Working Group selects a chair(s) for the Working Group and that chair(s) is confirmed by the GNSO Council, the GNSO Council liaison to the Working Group shall serve as the interim chair.
    b. The GNSO Council directs, consistent with the Charter, that a liaison between this PDP Working Group and that for the PDP on New gTLD Subsequent Procedures be appointed as soon as both PDP Working Groups are convened, in order to assure consistent communication and coordination between the two Working Groups, including ensuring that any issues identified by either Working Group relating to existing or potential RPMs that are not covered by the scope of the respective Charters are referred to the appropriate Working Group by the GNSO Council in a timely manner.

Motion to adopt the GNSO Review Working Party's feasibility and prioritization analysis of the GNSO Review Recommendations
 Made by: Wolf-Ulrich Knoben
Seconded by:

Whereas,

1. The GNSO Review Working Party was formed to serve as a liaison between the GNSO, the independent examiner and the ICANN Board's Organizational Effectiveness Committee.
2. Each GNSO Stakeholder Group and Constituency appointed representatives to serve on the Working Party.
3. The GNSO Review Working Party provided input on the review criteria, 360 assessment and served as a conduit for input from GNSO Stakeholder Groups, Constituencies as well as the GNSO Council.
4. The GNSO Review Working Party offered guidance to the independent examiner to ensure the draft report accurately reflects the GNSO structure, scope and dynamics.
5. The Final Report of the independent examiner was published on 15 September 2015 (see https://www.icann.org/en/system/files/files/gnso-review-final-15sep15-en.pdf) and contained 36 recommendations in the areas of: participation & representation, continuous development, transparency and alignment with ICANN's future.
6. The GNSO Review Working Party reviewed the recommendations and conducted a feasibility and prioritization analysis (see http://gnso.icann.org/en/drafts/review-feasibility-prioritization-25feb16-en.pdf), which it submitted to the GNSO Council on 28 February 2016.
7. The GNSO Council reviewed the feasibility and prioritization analysis provided by the GNSO Review Working Party.

Motion to adopt the GNSO Review Working Party's feasibility and prioritization analysis of the GNSO Review Recommendations
 Made by: Wolf-Ulrich Knoben
Seconded by:

Resolved,

The GNSO Council adopts the GNSO Review Recommendations Feasibility and Prioritization analysis (see http://gnso.icann.org/en/drafts/review-feasibility-prioritization-25feb16-en.pdf

1. The GNSO Council instructs the GNSO Secretariat, on behalf of the GNSO Council and Chair, to communicate the GNSO Review Recommendations Feasibility and Prioritization analysis to the ICANN Board's Organizational Effectiveness Committee (OEC) and communicate that the GNSO Council expects that the ICANN Board and the OEC will factor in the GNSO Review Recommendations Feasibility and Prioritization analysis as part of its consideration of the GNSO Review Recommendations.
2. The GNSO Council requests that ICANN policy staff prepare a discussion paper that outlines the possible options for dealing with the implementation of the GNSO Review recommendations following adoption by the ICANN Board taking into account the past implementation of the GNSO Review as well as existing mechanisms such as the SCI, the GNSO Review Working Party and other applicable best practices and lessons learned from past reviews.
3. The GNSO Council thanks the GNSO Review Working Party for its work and hopes its members will continue their contributions as part of the implementation phase.