

Section I: Completed Activities

Item	Description	BGC Completion Date	Accomplishments/Outcome
Reconsideration Request 16-6	Request submitted by DotKids Foundation seeking reconsideration of the Community Priority Evaluation (CPE) panel's report, and ICANN's acceptance of that report, finding that the Requester did not prevail in CPE for the .KIDS string.	21 July 2016	Request 16-6 was denied.
Reconsideration Request 16-9	Request submitted by Ruby Glen, LLC and Radix FZC seeking urgent reconsideration of ICANN's decision not to delay the .WEB/.WEBS auction following ICANN's investigation into alleged material changes in Nu Dot Co LLC's application for .WEB.	21 July 2016	Request 16-9 was denied.
Reconsideration Request 16-13	Request submitted by Merck KGaA seeking reconsideration of ICANN Contractual Compliance department's decision to conduct an internal review of the Requester's Public Interest Commitment Dispute Resolution Procedure complaint regarding a dispute between the Requester and the National Associations of Boards of Pharmacy, instead of referring the matter to an independent standing panel.	2 November 2016	Request 16-13 was denied.
Reconsideration Request 16-14	First Reconsideration Request submitted under the new Bylaws. Request submitted by Fraser Lee seeking reconsideration of the ICANN Contractual Compliance department's investigation of and decision to close Complaint #EWO-100-61631 concerning the domain name www.ripoffreport.com and the registrar with whom the domain is registered after ICANN's investigation	1 February 2017	The BGC has determined that the Requester failed to demonstrate that he has been materially and adversely affected by the challenged conduct. The BGC issued a summary dismissal on 1 February 2017 pursuant to Article 4 Section

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Annual Accountability Mechanisms Annual Report	The BGC was provided with a brief overview of the Accountability Mechanism Annual Report, which is required under the BGC's Charter and which was published on the BGC webpage as it is every year. The report provides a summary of Reconsideration Requests, Independent Review Process Requests, and Documentary Information Disclosure Policy Requests initiated and acted upon in the last year. The BGC requested that the format of the report be reviewed and potentially revised to permit further analysis regarding possible improvements on how to manage the processes.	2 November 2016	Report has been published on the BGC's webpage.
Annual Review of Board Members' Conflicts of Interests Statements	The BGC reviewed the summary of the Board members' statements of interest for conflict of interest purposes. The BGC discussed what level of information should be provided by Board members in completing their statements of interest, and were reminded that when something changes, the Board members should update their disclosure statements. The BGC discussed potential conflicts related to funding sources for organizations that ICANN Board members are affiliated with and requested that such detail be included in the summary (if provided), and that an additional question be added to the statement of interest questionnaire directed at funding sources for affiliated organizations. The BGC also discussed potential conflicts related to clients of Board members, and reviewed and discussed potential procedures by which Board members should disclose that information.	2 November 2016	The summary of the statements of interest has been posted on the BGC page.
Review of Code of Conduct Annual Report	The BGC was provided with a brief overview of the Code of Conduct Annual Report, which is required under the Code of Conduct itself, and is part of the BGC's Charter responsibilities. It was noted that there have been no allegations of non-compliance with the Code of Conduct by any Board members in the last year.	2 November 2016	The Report has been published on the BGC page.

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Recommendation of 2017 NomCom Chair and Chair Elect	The BGC reviewed the Expressions of Interest from candidates for the 2017 NomCom Chair and Chair-Elect, considered the results of a 360-degree evaluation of the 2016 NomCom leadership, and conducted interviews of candidates. The BGC recommended that Hans Petter Holen be appointed as the 2017 NomCom Chair and Zahid Jamil be appointed as the 2017 NomCom Chair-Elect.	15 September 2016	The Board approved the BGC's recommendation in Resolution 2016.09.15.06 .
Board Member Exit Questionnaire	The BGC discussed methods for handling the Board member exit questionnaires and ways in which to use the information provided to improve Board work and operations. The BGC decided that, along with the exit questionnaires, departing Board members would be informed that their responses will be summarized and anonymously submitted to the Board for consideration.	18 October 2016	

Section II: In-Progress Activities

Item	Description	Target Completion Date	Status
<p>Reconsideration Requests 14-30, 14-32, 14-33</p>	<p>In Resolution 2016.09.15.15, the Board directed the BGC to re-evaluate Requests 14-30, 14-32, and 14-33 in light of the Dot Registry IRP Panel’s Final Declaration and “the issues identified therein with respect to the BGC’s actions in evaluating these Reconsideration Requests.” In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider. At its 18 October 2016 meeting, the BGC noted that several complainants have alleged that certain of the CPE criteria have been applied inconsistently or unfairly across the various CPE reports. In addition, from a transparency standpoint, certain complainants have requested production of the evidence that the CPE panels used to form their decisions and, in particular, the independent research that the panels conducted. In evaluating the pending Reconsideration Requests, the BGC discussed ensuring that the results of the CPEs currently under review are reported respecting the principle of transparency. The BGC decided to request from the CPE provider the materials and research relied upon by the CPE panels in making their determinations with respect to certain pending CPE reports so that the BGC will be in a position to make determinations regarding certain recommendations or pending Reconsiderations Requests related to CPE.</p>	<p>TBD</p>	<p>The BGC will re-evaluate Requests 14-30, 14-32, and 14-33 following the completion of the noted review of the CPE process.</p>

<p>Reconsideration Request 14-42</p>	<p>Request submitted by the Moroccan Government seeking reconsideration of the Geographic Names Panel's determination that TATA Sons Limited's application for .TATA met all the relevant criteria in section 2.2.1.4.3 of the AGB.</p>	<p>TBD</p>	<p>Following additional evidence submitted by the Moroccan government, the application was sent back to the Geo Names Panel for re-evaluation. Request 14-42 was placed on hold pending re-evaluation. The applicant's deadline to provide documentation demonstrating sufficient support of the region expired on 30 November 2016. The applicant requested, but has been denied, additional time to provide the requisite support for the GNP review. Request 14-42 is pending the BGC review.</p>
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<p>Reconsideration Request 16-5</p>	<p>Request submitted by dotMusic Limited (and ten other requesters) seeking reconsideration of the Community Priority Evaluation (CPE) panel’s report finding that DotMusic did not prevail in CPE for the .MUSIC string (CPE Report), and ICANN’s acceptance of the CPE Report. Requesters also submitted a DIDP request seeking documents relating to the CPE Report, and asked ICANN to postpone its review of Request 16-5 pending ICANN’s response to the DIDP Request and the BGC’s determination on Reconsideration Request 16-7 (regarding the DIDP Response). Requesters presented to the BGC at its meeting on 17 September 2016. In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider. At its 18 October 2016 meeting, the BGC noted that several complainants have alleged that certain of the CPE criteria have been applied inconsistently or unfairly across the various CPE reports. In addition, from a transparency standpoint, certain complainants have requested production of the evidence that the CPE panels used to form their decisions and, in particular, the independent research that the panels conducted. In evaluating the pending Reconsideration Requests, the BGC discussed ensuring that the results of the CPEs currently under review are reported respecting the principle of transparency. The BGC decided to request from the CPE provider the materials and research relied upon by the CPE panels in making their determinations with respect to certain pending CPE reports so that the BGC will be in a position to make determinations regarding certain recommendations or pending Reconsiderations Requests related to CPE.</p>	<p>TBD</p>	<p>The BGC will evaluate Request 16-5 following the completion of the noted review of the CPE process.</p>
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<p>Reconsideration Request 16-8</p>	<p>Request submitted by CPA Australia seeking reconsideration of the Community Priority Evaluation (CPE) panel's report finding that CPA Australia did not prevail in CPE for the .CPA string (CPE Report), and ICANN's acceptance of the CPE Report. In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider. At its 18 October 2016 meeting, the BGC noted that several complainants have alleged that certain of the CPE criteria have been applied inconsistently or unfairly across the various CPE reports. In addition, from a transparency standpoint, certain complainants have requested production of the evidence that the CPE panels used to form their decisions and, in particular, the independent research that the panels conducted. In evaluating the pending Reconsideration Requests, the BGC discussed ensuring that the results of the CPEs currently under review are reported respecting the principle of transparency. The BGC decided to request from the CPE provider the materials and research relied upon by the CPE panels in making their determinations with respect to certain pending CPE reports so that the BGC will be in a position to make determinations regarding certain recommendations or pending Reconsiderations Requests related to CPE.</p>	<p>TBD</p>	<p>The BGC will evaluate Request 16-8 following the completion of the noted review of the CPE process.</p>
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<p>Reconsideration Request 16-11</p>	<p>Request submitted by Travel Reservations SRL, Spring McCook, LLC, Minds + Machines Group Limited, Famous Four Media Limited, dot Hotel Limited, Radix FZC, dot Hotel Inc., and Fegistry, LLC seeking reconsideration of Board Resolutions 2016.08.09.14 – 2016.08.0-9.15 determining that cancellation of Hotel Top-Level Domain S.a.r.l’s (HTLD’s) application for .HOTEL was not warranted, and directing that HTLD’s application for .HOTEL move forward. Requesters also request a meaningful review of the .HOTEL CPE to ensure consistency. The Requesters presented to the BGC at its 5 December 2016 meeting. In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider. At its 18 October 2016 meeting, the BGC noted that several complainants have alleged that certain of the CPE criteria have been applied inconsistently or unfairly across the various CPE reports. In addition, from a transparency standpoint, certain complainants have requested production of the evidence that the CPE panels used to form their decisions and, in particular, the independent research that the panels conducted. In evaluating the pending Reconsideration Requests, the BGC discussed ensuring that the results of the CPEs currently under review are reported respecting the principle of transparency. The BGC decided to request from the CPE provider the materials and research relied upon by the CPE panels in making their determinations with respect to certain pending CPE reports so that the BGC will be in a position to make determinations regarding certain recommendations or pending Reconsiderations Requests related to CPE.</p>	<p>TBD</p>	<p>The BGC will evaluate Request 16-11 following the completion of the noted review of the CPE process.</p>
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<p>Reconsideration Request 16-12</p>	<p>Request submitted by Merck KGaA seeking reconsideration of the Community Priority Evaluation (CPE) panel's report finding that Merck did not prevail in CPE for the .MERCK string (CPE Report), and ICANN's acceptance of the CPE Report. The BGC has granted Requester's request to present to the BGC. A BGC meeting is to be scheduled for the presentation. In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider. At its 18 October 2016 meeting, the BGC noted that several complainants have alleged that certain of the CPE criteria have been applied inconsistently or unfairly across the various CPE reports. In addition, from a transparency standpoint, certain complainants have requested production of the evidence that the CPE panels used to form their decisions and, in particular, the independent research that the panels conducted. In evaluating the pending Reconsideration Requests, the BGC discussed ensuring that the results of the CPEs currently under review are reported respecting the principle of transparency. The BGC decided to request from the CPE provider the materials and research relied upon by the CPE panels in making their determinations with respect to certain pending CPE reports so that the BGC will be in a position to make determinations regarding certain recommendations or pending Reconsiderations Requests related to CPE.</p>	<p>TBD</p>	<p>The BGC will evaluate Request 16-8 following the Requester's oral presentation to the BGC and after the completion of the noted review of the CPE process.</p>
<p>Independent Review of Community Priority Evaluation Report Procedures</p>	<p>In Resolution 2016.09.17.01, the Board directed the President and CEO, or his designees to undertake an independent review of the process by which staff interacted with the CPE provider, both generally and specifically with respect to the CPE reports issued the by the CPE provider.</p>	<p>TBD</p>	<p>The scope of the review has been defined and FTI Consulting has been retained to conduct the review. The review is underway.</p>

<p>Conduct at ICANN Meetings</p>	<p>At the BGC’s recommendation, the Board directed the Organization to retain an expert with experience in drafting and implementing relevant anti-harassment policies to assist in the development of a Community anti-harassment policy/procedure to be followed at ICANN Public meetings. The proposed Community Anti-Harassment Policy was posted for public comment on 7 November 2016 through 12 January 2017.</p>	<p>TBD</p>	<p>The public comment period closed on 12 January 2017. The report of public comments has been published. The Board will evaluate the comments received and will again engage with the Community to the extent significant changes to the proposed Policy are suggested.</p>
<p>Board Accountability Mechanisms Committee</p>	<p>The BGC discussed whether the BGC’s current and potential future workload for Reconsideration Requests limits the Committee’s ability to accomplish its other governance responsibilities as set forth in the its Charter, and whether the development of a Board Accountability Mechanisms Committee (BAMC) would be the more appropriate mechanism to address the potential volume and complexity of Accountability Mechanisms under the new Bylaws. As part of its responsibilities, the BGC is tasked with “periodically review[ing] the charters of the Board Committees, including its own charter and work with the members of the Board Committees to develop recommendations to the Board for any charter adjustments deemed advisable.” In this role, the BGC has identified that Board’s performance would be enhanced through the development of a Board committee specifically charged with oversight of ICANN Accountability Mechanisms, as the Board deems appropriate. The BGC also recommends that to enhance its own performance and focus on core governance activities, that a new committee dedicated to oversight of ICANN’s accountability mechanisms might be better suited to take on the BGC’s Reconsideration responsibilities, while keeping other governance responsibilities with the BGC.</p>	<p>February 2017</p>	<p>The BGC will submit a proposal that the Board approve the initiation of the process to amend the Fundamental Bylaws to redesignate the Reconsideration responsibilities vested in the Board Governance Committee under Article 4, Section 4.2(e) of the ICANN Bylaws to another Board committee for Board consideration during the LA Board Workshop in February 2017.</p>

Board Member Skills Sets – Guidance to NomCom	The BGC discussed the skill sets that should be included in the guidance to the NomCom for Board member selection, including skill sets/attributes outside the normal skill sets.	TBD	BGC to provide to skill sets guidance to the NomCom. BGC to identify additional skill sets, separate from the normal guidance material that may be helpful to the NomCom’s selection process.
Feedback report on Board members for NomCom and SO/ACs	The BGC discussed developing a feedback report that would enable community leadership (NomCom and SO/ACs) to evaluate and provide feedback to the Board as a whole.	TBD	The consultants that developed the Committee and Board Leadership 360-degree evaluation questionnaire are preparing a draft of the feedback report for the BGC’s consideration.
Board 360-Degree Evaluation	Follow up discussion from Hyderabad of Board 360-degree evaluation.	February 2017	An interactive session is planned for the Los Angeles Board Workshop.
Committee and Board Leadership 360-Degree Reviews	The BGC discussed having each of the Board committees, and the Board, conduct a 360-degree evaluation of their respective Chair or Co-Chairs (or vice chair). The BGC discussed the need to tailor the Board 360-degree evaluation questionnaire to Chair positions.	TBD	
Revised Corporate Governance Guidelines	The BGC discussed a review of the corporate governance guidelines and possible revision regarding reference to ICANN as a global, private sector corporation serving in the public interest.	TBD	
Board Committee Activity Reports	At its 18 October 2016 meeting, the BGC discussed methods for handling the Board Committee Activity Reports that are submitted by the Board Committees twice per year. The BGC decided to recommend to the Board that the Board Committee Activity Reports be publicly posted.	TBD	ICANN Org to prepare a Board paper recommending that the Board Committee Activity Reports be publicly posted for consideration by the Board at the February Board Workshop.

