

Guideline: ccNSO Council Election Procedure

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1 Introduction and Background

On 27 May 2016, the ICANN Board adopted the bylaws under resolutions 2016.05.27.01 – 2016.05.27.04:

With regard to the **membership of the ccNSO Council**, the bylaws state: Section 10.3. CCNSO COUNCIL “**(a)** *The ccNSO Council shall consist of (i) three ccNSO Council members selected by the ccNSO members within each of ICANN’s Geographic Regions in the manner described in Section 10.4(g) through Section 10.4(i); (ii) three ccNSO Council members selected by the ICANN Nominating Committee; (iii) liaisons as described in Section 10.3(b); and (iv) observers as described in Section 10.3(c).*”

With regard to the **regular term**¹ of each ccNSO Council member, the bylaws state: Section 10.3. CCNSO COUNCIL “**(d)** *(i) the regular term of each ccNSO Council member shall begin at the conclusion of an ICANN annual meeting and shall end at the conclusion of the third ICANN annual meeting thereafter; (ii) the regular terms of the three ccNSO Council members selected by the ccNSO members within each ICANN Geographic Region shall be staggered so that one member’s term begins in a year divisible by three, a second member’s term begins in the first year following a year divisible by three, and the third member’s term begins in the second year following a year divisible by three; and (iii) the regular terms of the three ccNSO Council members selected by the Nominating Committee shall be staggered in the same manner. Each ccNSO Council member shall hold office during his or her regular term and until a successor has been selected and qualified or until that member resigns or is removed in accordance with these Bylaws.*”

¹ Bylaw Section 10.3(h) designates the ccNSO Council as responsible for administering and coordinating the affairs of the ccNSO. Pursuant to this authority, the Council has provided that since 2003 the term of the Councillors selected by the ccNSO members started at the conclusion of the first ICANN meeting of a calendar year and it ended at the conclusion of the first ICANN meeting of a calendar year. The Council believes that materially and effectively continuing this practice will ensure continuity and predictability. Continuity is ensured as not all six Councillors whose term ends need to step down at once: the NomCom-appointed Councillors do take their seat at the end of the annual general meeting (AGM). As to predictability, current practice has evolved over the last 14 years. Changing this absent a compelling need could prove to be disruptive - for example, by ending the practice of interviewing potential Council candidates at the most appropriate ICANN meeting preceding selection, which currently is the annual general meeting.

2 Purpose of the Guideline

The purpose of this guideline is to document processes and procedures pertaining to the nomination, selection, and removal of ccNSO Council members.

3 General Provisions

3.1 Eligibility to be Elected to the ccNSO Council

A Councillor can be any individual nominated, seconded, and elected as described in this Guideline. Individuals are elected in their personal capacity and serve the ccTLD community. Councillors do not represent the views and interests of their employers.

3.2 Eligibility to Nominate and Second

Only the Representative from a ccNSO member will be able to nominate and second candidates to serve as a ccNSO Councillor. In the case of an incoming nomination or secondment from a non-Representative, the Election Process Manager will send a copy of the nomination or secondment to the attention of the Representative, requesting explicit confirmation of the validity of the nomination or secondment.

A Representative from a ccNSO member may self-nominate but is not allowed to second their self-nomination. Two Representatives from two other Territories in the Region must second self-nominations.

New ccNSO members can participate in the nomination process if their ccNSO membership application has been approved by the ccNSO Council one day prior to the day the nomination process starts.

3.3 Eligibility to Vote

Only ccNSO members from a Geographic Region are allowed to vote for candidates for the ccNSO Council from that Geographic Region.

3.4 Summary of the Election Process

The ccNSO Council shall appoint the Election Process Manager and establish the timeline for nomination and election of ccNSO Councillors by members. In establishing the timeline, the duration of the nomination process, the need for a Question & Answer session with the candidates before the voting starts – preferably during a members session during ICANN’s AGM the voting process and a potential run-off election will be considered. The goal is to conclude the election process two (2) months before the meeting when the newly elected Councillors take their seat on the ccNSO Council.

A valid candidate is one who has been nominated and seconded according to this Guideline and has accepted the nomination. If there is more than one valid candidate in a Geographical Region, an election shall be conducted in that region.

The Election Process Manager will supervise the nomination and election process and announce the outcome.

4 Election Process Manager and Timelines

With regard to the **timeline** to nominate and elect ccNSO Council members, the bylaws state: Section 10.4. MEMBERSHIP **“(g) The ccNSO Council members selected by the ccNSO members from each Geographic Region (see Section 10.3(a)(i)) shall be selected through nomination, and if necessary election, by the ccNSO members within that Geographic Region. At least 90 days before the end of the regular term of any ccNSO-member-selected member of the ccNSO Council, or upon the occurrence of a vacancy in the seat of such a ccNSO Council member, the ccNSO Council shall establish a nomination and election schedule, which shall be sent to all ccNSO members within the Geographic Region and posted on the Website.”**

4.1 Appointment of Election Process Manager

Nine (9) weeks prior to the last ICANN meeting of the year, the ccNSO Council appoints an Election Manager from the ccNSO Secretariat and establishes the timeline for the upcoming nomination.

4.2 Nomination and Election Timeline

At least 9 weeks prior to the last ICANN meeting of the calendar year, the AGM	Appointment election process manager by ccNSO Council
5 weeks prior to the start of the AGM	Start call for nominations
2 weeks prior to the start of the AGM	Deadline to nominate and second candidates
1 week prior the AGM	Deadline for candidates to accept nominations. The list of candidates who accepted their nomination is being published

At the last ICANN meeting of the calendar year (the AGM)	ccNSO Members meeting Q&A: the Election Manager will ask the candidate(s) to provide and present a Candidate Statement at the first ICANN meeting following the closure of the nomination period.
2 weeks after the AGM	Election starts, and ballots are issued.
4 weeks after the AGM	Election is closed.
5 weeks after the AGM	Voting results are announced. If there are no run-off elections, the report is finalized.
6 weeks after the AGM	Run-off elections start, if any.
1 week after the run-off elections.	Deadline for run-off elections, if any. Voting results of the run-off elections are announced.
Max. 1 week after closing of the run-off elections	Finalise and distribute the report

If there is more than one valid candidate in the same ICANN Geographic Region, an election will be conducted per the timeline specified under 4.2 of this document.

5 Call for Nominations

With regard to the **nomination** of individuals to serve as a ccNSO Council member the bylaws state: Section 10.4. MEMBERSHIP *“Any ccNSO member may nominate an individual to serve as a ccNSO Council member representing the ccNSO member’s Geographic Region. Nominations must be seconded by another ccNSO member from a different Territory, from the same Geographic Region. By accepting their nomination, individuals nominated to the ccNSO Council agree to support the policies committed to by ccNSO members.”*

5.1 Nomination Process

The Election Process Manager will email the ccNSO members with the detailed description of the nomination process. Nominations/secondments should be sent to the Election Process Manager according to instructions. Upon receipt, the Election Process Manager will send a confirmation email to

the nominator/second. For regular nominations, a minimum of one secondment is necessary for a candidate to be able to continue in the election process. For self-nominations, a minimum of two secondments from Representatives from two ccNSO Members from different Territories in the Region are necessary for a self-nominated candidate to continue in the election process.

5.2 Nomination Template

1. Your full name:
2. Your email address:
3. Your ccTLD:
4. Your geographic region:
5. Full name of the person you nominate to the ccNSO Council:
6. E-mail address of the person you nominate:

5.3 Secondment Template

1. Your full name:
2. Your email address:
3. Your ccTLD:
4. Your geographic region:
5. Full name of the nominee you would like to second:

5.4 Accepting Nominations

The Election Process Manager will ask the candidates nominated by third parties to accept their nomination. Self-nominations are understood to have accepted their nomination.

The Election Manager shall provide a list of the candidates that accepted their nomination. A record of nominations and acceptances will be available on the ccNSO website.

6 Elections

If there are no more valid candidates in a particular Geographic Region at the close of nominations than seats on the ccNSO Council available for that Geographic Region, then the nominated candidates shall be selected to serve on the ccNSO Council. Otherwise, an election shall be held for the ccNSO Councillors from among the valid candidates.

6.1 Quorum

In such an election, a majority of all the Emissaries in the Geographic Region entitled to vote shall constitute a quorum.

When quorum is not reached at the closure of the elections, the Election Process Manager will launch a new voting round, corresponding to the timing of potential run-off elections, as included in the

election timeline previously adopted by Council.

The quorum for this follow-up vote by the ccNSO members shall be thirty-three percent (33%) of the total number of possible Emissary votes, in line with the decision-making by the ccNSO Membership, as specified in the ccNSO Internal Rules.

6.2. Voting

The voting will be anonymous and conducted as follows: the voters are required to indicate on the ballot the candidate of their choice, and the winner is the candidate who receives the plurality of the votes cast by the Emissaries from the Geographic Region. If two or more candidates have received the same number of votes in the election, and no winner can be identified, a run-off election will be conducted between these candidates.

At the end of the selection process, the full record of the number of votes will be published on the ccNSO Website. The Election Process Manager will announce the results of the election. The Chair of the ccNSO Council shall inform the ICANN Secretary of the selection.

7 Removal of a Councillor

Any Councillor may be removed by:

- 1) a majority of ccNSO Emissaries in the Geographic Region from which the Councillor has been elected or
- 2) a three-fourths (3/4) majority vote of all ccNSO Councillors.

7.1 Removal of a Councillor by ccNSO members

At least 25% of the ccNSO Emissaries from a geographic region may initiate a process to remove a Councillor elected from their Geographic Region by sending the request to the Secretariat or the Chair of the ccNSO Council. The request should contain the following:

- 1) Name of the Councillor to be removed
- 2) The ccNSO members who initiate the removal process
- 3) A supporting rationale in reasonable detail
- 4) A statement as to whether or not the initiators request that the ccNSO Council organises a questions and answers session with the Councillor during the upcoming ccNSO members meeting.

To give a Councillor time to prove themselves, such a request shall not be filed sooner than 6 months after the Councillor had been elected.

Upon receipt of the requests, the Chair of the ccNSO Council shall invite the initiators and the Councillor

to a dialogue. If the dialogue is impossible or does not produce significant results within two months, the Chair of the ccNSO informs the ccNSO Council about the need to initiate the removal process. The ccNSO Council, at its next meeting, appoints an Election Manager and establishes the removal timeline.

If the Chair of the ccNSO is subject to this removal procedure, the Vice-Chair who has served on the Council the longest will take on all responsibilities as Chair of the ccNSO until this procedure is concluded.

ccNSO Council meeting	Appointment of Election Manager
ccNSO Council meeting + 1 week	Initiate a vote for Removal in the particular Geographic region
ccNSO Council meeting + 3 weeks	End of the vote for Removal

The appointed Election Manager informs ccNSO members about the initiated request to remove the Councillor and shares with the community the supporting rationale of the removal request. The Councillor subject to the removal process, has the right to add their statement or response.

The Election Manager initiates the vote for Removal among the ccNSO members in the region. The vote window will be two weeks.

If the plurality² of the ccNSO Emissaries in the Geographic Region vote in favor of removal, the ccNSO Council will initiate a new election process. The removed Councillor shall not be nominated during the new election process.

7.2. Removal of a Councillor by the ccNSO Council

As per ICANN Bylaw section 10.3(f), ccNSO Council members may be removed for not attending three consecutive meetings of the ccNSO Council without sufficient cause or for grossly inappropriate behavior, both as determined by at least a 66% vote of all of the members of the ccNSO Council.

The Chair of the ccNSO Council and at least one of the Vice-chairs will reach out to the Councillor in question to discuss the ways to resolve the situation. If the Chair of the ccNSO is subject to this removal

² A plurality vote describes the circumstance when a candidate or option polls more votes than any other, but does not receive more than half of all votes cast. The winning candidate or proposition may have only a plurality of votes, but not a majority.

procedure, the Vice-Chair who has served on the Council the longest will take on all responsibilities as Chair of the ccNSO until this procedure is concluded.

If the dialogue is not possible or does not produce any significant results within two months, the Chair of the ccNSO Council may initiate the request to remove the Councillor by informing the ccNSO Council. The ccNSO Council may then take a vote or decide to establish a Mediation Committee.

The Mediation Committee should consist of at least three Councillors. At least one of the members of the Mediation Committee should be another Councillor from the same geographical region. The Mediation Committee will contact the Councillor in question and will have three months to resolve the situation. The Mediation Committee will advise the ccNSO Council on further actions.

If three-fourths of the ccNSO Council vote to remove the Councillor, the ccNSO Council will initiate a new election process. The removed Councillor may be nominated during the new election process.

7.3. Removal of a NomCom Appointed Councillor

If a ccNSO Councillor appointed by the ICANN Nominating Committee materially fails to fulfill their responsibilities, the Chair of the ccNSO Council and at least one of the Vice-chairs will reach out to the Councillor in question to discuss the ways to resolve the situation. If the dialogue is not possible or if it does not produce any significant results within two months, the Chair of the ccNSO Council may initiate the request to remove the Councillor by informing the Chair of the Nominating Committee.

8 Miscellaneous

8.1 ccNSO Internal Guideline

This Guideline is an internal rule of the ccNSO in accordance with Article 10 section 3.(k) and Article 10 section 4. of the ICANN Bylaws. This Guideline should also be considered as the internal procedure of the ccNSO to elect ccNSO Council members.

8.2 Omission in or unreasonable impact of the Guideline

If the Guideline does not provide guidance and/or the impact is unreasonable to conduct the business of the ccNSO, the ccNSO Council, or the review team, the Chair of the ccNSO will decide.

8.3 Publication and Review of Guidelines

The Guideline will be published as part of the rules and guidelines of the ccNSO after adoption by the ccNSO Council.

The Guideline will be reviewed after any changes to the relevant sections in the ICANN bylaws or change of the Operating Standards, or otherwise adjusted when considered necessary. In order to become effective, the updated Guideline must be adopted by the ccNSO Council and published on the ccNSO website.

Before publishing the updated Guideline, the Secretariat will update the version number and insert the date the Guideline was reviewed and adopted by the ccNSO.