

GNSO OSC CONSTITUENCY OPERATIONS WORK TEAM TASK 1 STAKEHOLDER GROUP ANALYSIS

TASK 1: ENHANCE EXISTING CONSTITUENCIES BY DEVELOPING RECOMMENDATIONS ON CONSTITUENCY PARTICIPATION RULES, OPERATING PRINCIPLES, AND DATABASE OF MEMBERS

Subtask 1: Develop recommendations for a set of participation rules and operating procedures, which all constituencies should abide by.

Key: ✓ Appears to meet criteria ✗ Does not appear to meet criteria ? Unclear, need input from constituency

Criteria	<u>NCSG – From NCUC</u>	<u>NCSG - CyberSafety</u>	<u>Commercial SG</u>	<u>Registry SG</u>	<u>Registrar SG</u>
1. Provides guidelines, rules, or principles for constituency participation in the stakeholder group.	✓ Section 2.3 Constituencies describes criteria for forming a constituency within the SG and constituency rights in the SG; Section 3.0 NCSG Officers, describes constituencies' rights to elect Policy Committee and other Officers. (NCSG GNSO Council Representatives are elected in an SG-wide vote.) Section 2.2 Membership: members can form or join up to 3 different constituencies.	✓ Section 2.2 Constituencies describes criteria for forming a constituency within the SG, constituency structure, and constituency rights and responsibilities in the SG; 4.0 GNSO Council Seat Allocation: Each Constituency is allocated an even number of Council seats.	✓ Section 4 Membership of the CSG States that membership is open to the three "Recognized Constituencies," and any additional constituencies recognized by the Board. Section 6 Policy Development states that in the interim policy development will remain at the constituency level.	✓ Section IV Structure of the RySG: Voluntary Constituencies describes participation, qualifications and procedures for recognition, and rights and responsibilities – including developing policy positions and voting rights through their RySG members.	✓ Section 2.0 Organization and Membership describes participation, qualification and recognition, structure, rights and responsibilities such as participating in policy development and elections – as individual members. Section 3.2 guarantees representation on the leadership team.
2. Membership					
a. Information about applications and admission decisions will be publicly available.	✗ Section 2.2 Membership: Describes eligible and ineligible organizations and individuals; organizational representation; and admission procedures, but does not describe whether information on admission and decisions will be publicly available.	✗ Section 2.0 Organization and Membership does not appear to provide information concerning application and admission procedures. (This is in Section 5.3 of the Constituency Charter.)	✗ The Transitional Charter does not appear to include information concerning admission decisions.	✗ Section III Organization and Membership describes eligibility requirements, application procedures, but does not address whether decisions will be publicly available.	✗ Section 2.1 Composition states that membership is open to accredited registrars and constituencies recognized by the Board, but does not appear to address admission decisions.
b. Clear avenue of appeal for an applicant rejection to a neutral third party.	✓ Section 2.2.6 states that the Policy Committee acts as an appeals Board for decisions challenged by members or prospective members.	✗ The Charter does not appear to provide information concerning applicant rejection appeals. (This is in Section 5.3.1 of the Constituency Charter.)	✗ The Transitional Charter does not appear to include information concerning applicant rejection appeals.	✓ Section III Organization and Membership states that questions concerning eligibility will be determined by a vote of the full RySG.	✗ The Charter does not appear to address appeals for an applicant rejection.
3. Operating procedures:					
a. Charter includes a consensus building mechanism.	✗ Section 3.3.2(f) NCSG Policy Committee describes voting criteria to reach consensus for the establishment of Working Groups, but does not appear to describe a consensus-building mechanism.	✗ The Charter does not appear to include a consensus building mechanism. (This is in Section 6.2.3 of the Constituency Charter.)	✗ The Transition Charter does not appear to include a consensus building mechanism.	✓ Section IX Voting states that the RySG should operating using a rough consensus approach or in the absence of rough consensus, by a vote.	✗ Section 3.4 Decision-Making Processes states that decisions shall be made based on full consensus, but does not appear to describe the mechanism.

Subtask 2: Develop recommendations for clear operating principles for each constituency to ensure that all constituencies function in a representative, open, transparent and democratic manner.

Key: ✓ Appears to meet criteria X Does not appear to meet criteria ? Unclear, need input from constituency

Criteria	NCSG – From NCUC	NCSG - CyberSafety	Commercial SG	Registry SG	Registrar SG
1. Operating principles:					
a. Mailing and discussion lists will be open and publicly archived (with posting rights limited to members).	✓ Section 3.6.2 Social Network Site states that there will be a link on the SN site to archives of publicly available discussion lists: Section 3.6.3 Meetings and Communications states that there will be a public email list and a Policy Committee email list open only to NCSG members that will be archives.	X The Charter does not appear to include a description of mailing and discussion lists. (This is in Section 7.0 Communications of the <i>Constituency Charter</i> .)	X The Transitional Charter does not appear to discuss mailing and discussion lists.	X Section V Leadership states that the Secretariat shall coordinate email, but this does not appear to mention whether lists are archived or open to the public.	X The Charter does not appear to describe mailing and discussion lists.
b. Procedures for developing policy positions are clear and will include publicly available information about how many participants were involved in the development of any policy position.	✓ Section 3.3.2(f) NCSG Policy Committee describes voting criteria to reach consensus for the establishment of Working Groups; 3.6.1 Policy Decisions states that initiation of new PDPs and final votes on polices must be announced on the public NCSG email list, X but does not appear to mention requirements to announce publicly participants in the development of policy positions.	X The Charter does not appear to include procedures for developing policy decisions. (These are described in Sections 4.1.5 and 6.2.3 of the <i>Constituency Charter</i> – although this does not appear to include publicly available information about participant involvement in policy development.)	X Section 6 Policy Development states that in the interim policy development will remain at the constituency level.	✓ Section VIII GNSO Council Registries Stakeholder Group Representation states that each SG representative is responsible for communicating to the Council the SG views, including consensus positions, and minority positions are required to be documented in position statements.	X Section 3.4 Decision-Making Processes states that decisions shall be made based on full consensus, but does not appear to provide the procedures for arriving at full consensus or whether information concerning how many participants were involved in the development of any position will be publicly available.
c. Processes encourage participation from constituencies across the globe and, where feasible, will provide relevant documents in multiple languages.	✓ Section 4.0 Outreach describes outreach activities, X but does not appear to mention whether relevant documents will be provided in multiple languages.	X The Charter does not appear to include provisions for outreach. (However, 9.0 Outreach of the <i>Constituency Charter</i> describes global outreach requirements.)	X The Transitional Charter does not appear to address outreach.	X The Charter does not appear to address outreach.	✓ Section 3.3 (Leadership) Responsibilities states that the Leadership shall request ICANN staff to assist with recruitment/outreach efforts targeted at expanding the organization.
d. Term limits for stakeholder group officers.	✓ 3.5 NCSG Decision-Making, Voting, and Election Procedures: NCSG Chair serves 1-year term; GNSO Council Representatives serve 2-year terms with a 2-term limit.	✓ 3.0 NCSG Leadership: Officers serve 1-year terms. (There is no mention of Council representative term limits.)	✓ Section 7 Executive Committee states that officers shall be limited to a 1-year term until approval of the Final Charter.	✓ Section V Leadership states that terms of the Chair, Alternate Chair, and Treasurer shall be limited to two years.	X The Charter does not appear to address term limits for officers.

Subtask 3: Develop recommendations for creating and maintaining a database of all constituency members and others not formally a part of any constituency that is up-to-date and publicly accessible.

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1. Methods to store and update membership records.	X There appears to be no information in the Charter with respect to publicly available lists of members, or requirements to store and update membership records.	X There appears to be no information in the Charter with respect to publicly available lists of members, or requirements to store and update membership records. (However, this is described in Section 2.2.4 of the Constituency Charter.)	X The Transitional Charter does not appear to address methods to store and update membership records.	✓ Section V Leadership states that the Secretariat maintains and updates membership records.	X The Charter does not appear to address methods to store and update membership records.