

Subject: [Ccns0-grc-sg] Proposed new rules for ccNSO
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From: ccns0-grc-sg on behalf of McAuley, David via ccns0-grc-sg
To: ccns0-council@icann.org
CC: ccns0secretariat@icann.org, ccns0-grc@icann.org, ccns0-grc-sg@icann.org
Attachments: Draft Final Internal Rules ccNSO 27 January 2022- CLEAN.pdf, ATT00001.txt

Dear Alejandra, Members of the ccNSO Council,

On behalf of the Guideline Review Committee (GRC) and the subgroup on new Rules, we are pleased to submit for your consideration the final draft of the updated Internal Rules of the ccNSO.

This proposed set of new Rules is the result of extensive discussions and consultations at recent ccNSO Members meetings. It started with the ccNSO governance session during ICANN 69 when the GRC consulted the community to identify the issues with the current 2004 Rules. At the ccNSO members meetings at ICANNs 70 and 71 various proposals were discussed and refined, leading up to the ICANN72 meeting (November 2021) when the near final set of proposals were introduced to the community.

In addition, and at various points during the process, the community was involved in the development of the proposals through a survey and consultative webinars and a comment period on the final proposal (December 2021).

The major changes we are proposing to the ccNSO Internal Rules are:

- Clarification of the relation of Article 10 of the ICANN Bylaws (which always take precedence case of conflict with the Rules and/or Internal Procedures (or Guidelines)). This Clarification is not part of the Rules.
- General principles which constitute the foundation of the ccNSO, which also, however, are not part of the Rules of the ccNSO.
- Clarification of decision-making processes of the ccNSO, i.e., which decisions are explicitly reserved to be taken by the ccNSO membership and which by the ccNSO Council.
- Council Decision subject to the members veto mechanism, and related the effective date of council decisions.
- The decision-making process by the members (only by electronic vote) and the related quorum rule. Note that the quorum has changed from 50% of the members to 33% of the members that need to cast a vote. Please also note that the proposal includes that in case the quorum is not met during the initial members voting round, a second final vote will have to be conducted with the same quorum

(33% of the members need to cast their vote). The quorum rule, however, will not apply to a decision being made on elections to the ICANN Board.

- Basic mechanism and frequency of the review of the new Rules.
- Mechanism to change the new ccNSO Rules and ccNSO Operating Procedures or Guidelines.
- The text now also includes a glossary, with definitions of some of the terms used throughout the proposed text.

To replace the current 2004 [Rules \[ccnso.icann.org\]](http://ccnso.icann.org) of the ccNSO, the proposal will have to be adopted by both the ccNSO Council (in accordance with section 10.3(k) of the ICANN Bylaws) and adopted by the ccNSO Membership (in accordance with section 8 of the 2004 Rules). We therefore recommend that you adopt the new Rules and launch the vote by the Members of the ccNSO.

Members of the Rules Subgroup of the GRC are available to answer any questions you may have and looking forward to the next steps of the process.

Sean Copeland Chair, Guidelines Review Committee.
David McAuley Chair GRC Subgroup ccNSO.

Rules Subgroup Members:

Irina Danelia.
Stephen Deerhake.
Chris Disspain.
Atsushi Endo.
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Katrina Sataki (Observer).
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