

Issues Discussion Paper

Rules and Procedures of the ccNSO

This paper highlights some key issues for discussion and decision, to allow the ccNSO members and ccNSO Council to more easily meet and make decisions.

A draft set of rules is attached, to give an indication of what a final set of rules may look like. The draft rules will be amended on the basis of feedback and decisions by members and other ccTLDs.

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Principles

- 1. The ccNSO is a bottom up organization where the members give guidance to the Council, as stated in the bylaws;**
- 2. The ccNSO is open and transparent to members and non-members**
- 3. The ccNSO will operate transparently and in public, wherever possible and on a non-discriminatory basis**
- 4. There should be minimum periods of notice for meetings and votes**
- 5. There should be a minimum turnout or quorum for a vote to be valid, with a regional representation.**
- 6. The ccNSO operates on the principle of one member, one vote.**
- 7. The ccNSO should be able to make decisions both at face to face (including teleconference) meetings and also by electronic ballot.**
- 8. The ccNSO wishes to allow non members to participate in discussions on issues before the ccNSO.**

These principles are open for initial debate, to guide decision making on specific rules.

Issues

Quorum

A quorum is only needed for face to face and teleconference meetings, as any e-mail votes will have every member able to vote.

The quorum for the ccNSO Council is defined by Section 3.14 of Article IX of the ICANN bylaws as being one half of the members of the Council being 10 members (once all 18 are elected and appointed)

A quorum needs to be set for the ccNSO members meetings. With a membership of currently 40 members (note 4 pending) a majority quorum would be 21.

A quorum can be set in a number of ways. Some options are:

- (a) x% of the total members (eg 50%)*
- (b) A straight number of y (eg 25 members)*
- (c) An either/or floor (eg the lower of 25 members or 50%, so if one had 60 members the quorum would be 25)*
- (d) An either/or ceiling (eg the higher of 25 members or 50%, so if one had 60 members the quorum would be 30)*
- (e) A minimum number per region (eg 3 members per region must be present)*

A combination of options is also possible, for example one could set the quorum as being 50% of the total members, plus at least two members per Region.

If a face to face meeting does not gain a quorum, the preferred procedure would be to take any resolutions from that meeting to the e-mail list, and ask for ratification from all members on the list.

Resolutions

The majority needed to pass a resolution for the ccNSO Council is defined by Section 3.14 of Article IX of the ICANN bylaws as being one half of the members voting (an abstention not counting as a vote).

For purposes of policy development under the PDP, a resolution needs 14/18 votes in favour to pass (Section 11 of Annex B).

A members vote on policy under the PDP needs a greater than 66% of votes cast to pass. (Section 13 of Annex B)

Issues for the ccNSO members when voting on non PDP matters shall be:

- 1) Should a simple majority vote be defined as more than 50% of those voting?*
- 2) Should a higher level of vote (say >66%) be needed for changes to operating rules and/or instructions to the Council?*

Notice Periods

Section 13 of the Bylaws states that notice of ccNSO Council meetings must be sent either by postal mail 21days prior to the meeting or by e-mail 7 days prior. The agenda should also be notified seven days prior.

Should ccNSO members meetings have the same notice period?

Moving and Seconding

There are no guidelines as to whether a motion needs only a mover or a seconder also.

It is usual to require a seconder.

E-mail Lists

These serve as the primary communications vehicle for the ccNSO. It is suggested the following lists be established/ratified:

ccnso-announce – public one way list for announcements, notices (posting rights for ccNSO chair or staff only)

ccnso-council – discussion list for council members. Publicly archived as GNSO Council is.

ccnso-votes – a one way list of voting contacts for ccNSO members – to be used for votes

ccnso-members – discussion list for members of the ccnso. Each ccnso member to designate who from their ccTLD is subscribed to the list. Publicly archived.

ccnso-discuss – public discussion list open to any interested person. To prevent “kook capture” we suggest the members approve list rules similar to those in place on the old DNSO GA list (<http://www.dnso.org/dnso/notes/GA.list-monitoring.html>)

E-mail votes

If the ccNSO wishes to be able to vote on issues outside face to face meetings, some procedures for e-mail votes will be needed.

Firstly, who can call a vote. Some or all of the below is suggested:

- 1) The ccNSO Council
- 2) The Chair of the ccNSO Council
- 3) X% of members
- 4) Any two members who properly move and second a motion

Secondly, how long a vote should run for. A PDP vote has to remain open for at least 21 days. There may be some issues that a quicker decision is needed on. For non PDP issues a range of 7 to 21 days might be appropriate.

Thirdly, what minimum turnout is needed for a vote to be valid. The PDP members vote states at least 50% of the members must vote for the result to be valid, and if less than this number vote, then a second vote is called 30 days later, and this second vote is automatically valid regardless of turnout.

Membership Veto of Council Decisions

Accepting the principle that the members are the final authority in the ccNSO, yet the Council will handle many issues, it is desirable to define a mechanism where the members can ratify or veto a Council decision.

It is recommended that the Council be required to publish all of its decisions to the appropriate ccNSO lists within x (5) days. Further that such decisions will not become operational until a period of a further y (7) days.

If during that y day period, z% (?10%) of members notify the Chair of their objection to the decision, it shall automatically trigger a membership vote to ratify or veto the decision.

Council Officers

The by laws specify the Council shall elect a Chair and such Vice Chairs as it deems appropriate.

Members can discuss and gain consensus at the members meetings on the role of vice chair(s) and how many vice chairs are desired, and the method of election, and then have these decisions ratified by the Council as their first action.

For the election of the Chair and Vice Chair(s), it is recommended Council use instant runoff voting where if there are more than two candidates, a winning candidate needs to get over 50% of the vote, and lowest polling candidates drop out until someone is elected.

A decision needs to be made on the number, and roles, of any Vice-Chairs. There are four main possibilities:

- 1) No Vice-Chair*
- 2) One Vice-Chair (from sep region to Chair)*
- 3) Five Vice-Chairs (one per Region)*
- 4) Four Vice-Chairs, one from every non-chair region*

If the ccNSO wishes to have a Vice-Chair per Region, it needs to determine whether the full Council will vote for each Vice-Chair, or just the Council members from that Region.

Committee Chairs

The ccNSO will no doubt wish to establish a number of committees such as membership, agenda, finance etc. These could be headed by Vice-Chairs, or to retain flexibility (or if there is only one Vice-Chair) by Committee Chairs appointed as required.