Report ccNSO Council Elections

2 December 2020

1. Background

In March 2021, at the conclusion of ICANN70, the 3-year term of the following ccNSO Councillors ends:

- Africa: Abdalla Omari
- Asia Pacific: Young Eum Lee
- Europe: Katrina Sataki
- Latin America/Caribbean: Margarita Valdes
- North America: Byron Holland

The ccNSO opened a call for nominations to fill those seats. The timeline of the launch of the nomination period was defined following the ccNSO Rules and Guidelines and was approved by the ccNSO Council on 24 June 2020, taking into consideration the fact that ccNSO members had a possibility to ask direct question to the candidates at the ccNSO members meeting at ICANN69. Joke Braeken was appointed Election Process Manager on 24 June 2020.

2. Launch of Nomination Period

In accordance with the approved timeline, the nomination period was launched on Wednesday, 9 September 2020 (00:01 UTC). The call for nominations was posted on the ccNSO website on 07 September 2020, and shared on the same day with the ccnso-members@icann.org and ccnsocouncil@icann.org mailing lists.

3. Close of Nomination Period

In accordance with the approved timeline, the nomination period closed on Wednesday, 30 September 2020 (23:59 UTC). Shortly after the closure of the nomination period, the Election Manager posted an announcement on the ccNSO website and shared it with the the ccnso-members@icann.org and ccnsocouncil@icann.org mailing lists.

4. Nomination Results

The nomination archives can be found at: https://forum.icann.org/lists/ccnso-nominations/
At the close of the call, the following nominations and secondments were received:

- **Africa:**

Hadji Mmadi Ali was nominated by Joel Karubiu (.ke) on Thu, 10 Sep 2020 | 11:14:11 UTC. This nomination was seconded by Angela Matlapeng (.bw) on Thu, 10 Sep 2020 | 11:43:26 UTC and by Nicolas Raft Razafindrakoto (.mg) on Thu, 10 Sep 2020 | 20:11:25 UTC. No other nominations or secondments were received.

- **Asia-Pacific:**

- Boyoung Kim was nominated by Young-eum Lee (.kr) on Thu, 24 Sep 2020 | 20:09:25 UTC. This nomination was seconded by Hirofumi Hotta on Fri, 25 Sep 2020 | 01:04:24 UTC
- Jiankang Yao was nominated by Ser Pheng Queh (.sg) on Sat, 26 Sep 2020 | 17:23:14 UTC. This nomination was seconded by Photchanan Ratanajaipan (.th) on Mon, 28 Sep 2020 | 12:38:15 UTC.

- Anil Kumar Jain (.in) was nominated twice: By Jose Emmanuel Disini (.ph) on Wed, 30 Sep 2020 | 05:19:24 UTC and by Rajiv Kumar (.in) on Wed, 30 Sep 2020 | 05:37:22 UTC. This nomination was seconded by Queh Ser Pheng (.sg) on Wed, 30 Sep 2020 | 05:53:46 UTC and by Anisone Kingsada (.la) on Wed, 30 Sep 2020 | 11:46:47 UTC.
- Yudho Giri Sucahyo (.id) self-nominated on Wed, 30 Sep 2020 | 23:33:19 UTC. This nomination was not seconded.
- No other nominations or secondments were received.

- **Europe:**

Irina Danelia (.ru) was nominated three times: by Roelof Meijer (.nl) on Wed, 23 Sep 2020 | 09:00:08 UTC, by Joerg Schweiger (.de) on Mon, 28 Sep 2020 | 07:57:06 UTC and finally by Pierre Bonis (.fr) on Mon, 28 Sep 2020 | 09:47:41 UTC.
The nomination was seconded by Barbara Povse Golob (.si) on Thu, 24 Sep 2020 | 18:50:51 UTC.
No other nominations or secondments were received.

- **Latin America/Caribbean:**

Jenifer Lopez was nominated by Clara Collado (.do) on Mon, 14 Sep 2020 | 18:55:32 UTC. This nomination was seconded by Ernesto Bojórquez (.mx) on Fri, 18 Sep 2020 | 17:38:00 UTC.
No other nominations or secondments were received.

- **North America:**

Sean Copeland was nominated by Pablo Rodriguez (.pr) on Tue, 29 Sep 2020 | 20:17:39 UTC. This nomination was seconded by Stephen Deerhake (.as) on Wed, 30 Sep 2020 | 19:43:45 UTC.
No other nominations or secondments were received.

5.1. Nomination observations

- The secondment of Anil Kumar Jain by NomCom appointed ccNSO Council member Ajay Data sent on Wed, 30 Sep 2020 | 09:31:14 UTC was not taken into consideration, since Ajay does not represent a ccNSO member. The applicable guideline specifies that only ccNSO members are able to nominate and second candidates to serve as a ccNSO Councillor.
- Yudho Giri Sucahyo (.id) self-nominated on Wed, 30 Sep 2020 | 23:33:19 UTC. This nomination was not seconded. The applicable guideline mention that self-nominations must be seconded by 2 members from the region. Therefor, Yudho's name did not appear in the final list of candidates.

Extract from the applicable guideline:

[…]3.2 Eligibility to Nominate and Second

Only ccNSO members will be able to nominate and second candidates to serve as a ccNSO Councillor. New ccNSO members are able to participate in the nomination process if the ccNSO membership application has been approved by the ccNSO Council one day prior the nomination process starts. ccNSO members may self-nominate themselves but are not allowed to second their nomination. Selfnominations must be seconded by two ccNSO members from the region.[…]

5. Acceptance Nominations

In accordance to the applicable rules, the following candidates were nominated, seconded and have accepted their nomination for the Council election:

- Africa: Hadji Mmadi Ali
- Asia-Pacific: Anil Kumar Jain, Boyoung Kim, Jiankang Yao
- Europe: Irina Danelia
- Latin America – Caribbean: Jenifer Lopez
- North America: Sean Copeland

6. Elected Councillors: Africa, Europe, Latin America, North America

As only one candidate was nominated and seconded within the nomination period for the African, European, Latin American / Caribbean and North American regions, no elections needed to be held in those regions. The nominated and seconded candidates accepted their nomination, and agreed to participate in a Q&A session with the community at ICANN69 in October 2020.

Since at the close of nominations there are no more valid candidates in the aforementioned geographic regions than there are seats on the ccNSO Council available for those regions, then the nominated candidates shall be selected to serve on the ccNSO Council. The elected Councillors will take their seats at the end of the ICANN70 ccNSO Council meeting, in March 2021.

7. Elected Councillors: Asia-Pacific

In accordance with the applicable rules, three candidates from the Asia-Pacific region were nominated, seconded and have accepted their nomination. Consequently, an election needed to be held among the ccNSO members of the asia-Pacific Region according to the timeline previously agreed upon by the ccNSO Council. Only ccNSO members from a Geographic Region are allowed to vote for candidates to the ccNSO Council from that Geographic Region.

The three candidates, Anil Kumar Jain, Boyoung Kim, Jiankang Yao, interacted with the ccNSO members and broader ccTLD community at a Question and Answer session, held during the ccNSO Members Meeting at ICANN69.

7.1. Launch of the elections

In accordance with the approved timeline, the voting started on Tuesday, 3 November 2020 (00:01 UTC). A formal election notice was published on the ccNSO website on 30 October 2020 and shared that same day with the ccnso-members@icann.org and ccnsocouncil@icann.org mailing lists. The election notice contained, among others, the following information:
- The names of the candidates and their candidate statements
- Information on how the election will be conducted
- Election opening and closing dates

The ballots were sent by the e-mail address tally@icann.org, to the e-mail address of the primary contact of each Asia-Pacific region ccNSO Member, as listed in the ccNSO Members database.

7.2. Close of the elections

In accordance with the approved timeline, the election closed on Tuesday, 17 November 2020 (23:59 UTC).

7.3. Election observations & recommendations

- **Observation 1**

At the time the ballots were distributed, the Asia-Pacific region counted 53 ccNSO members. Please find included below the list of ccTLDs, sorted in alphabetical order, that received a ballot in this election round:

.ae	United Arab Emirates	.mh	Republic of the Marshall Islands
.af	Afghanistan	.mn	Mongolia
.am	Armenia	.mv	Maldives
.au	Australia	.my	Malaysia
.az	Azerbaijan	.np	Nepal
.bh	Bahrain	.nr	Nauru
.bn	Brunei Darussalam	.nu	Niue
.cc	Cocos (Keeling) Islands	.nz	New Zealand
.ck	Cook Islands	.om	Oman
.cn	China	.pg	Papua New Guinea
.cx	Christmas Islands	.ph	Philippines
.fj	Fiji	.pk	Pakistan
.fm	Micronesia, federated states	.ps	Palestine
.ge	Georgia	.pw	Palau
.hk	Hong Kong	.sa	Saudi Arabia
.id	Indonesia	.sb	Solomon Islands
.il	Israel	.sg	Singapore
.in	India	.th	Thailand
.iq	Iraq	.tk	Tokelau
.ir	Islamic Republic of Iran	.tl	Timor-Leste
.jo	Jordan	.tr	Turkey
.jp	Japan	.tv	Tuvalu
.kh	Cambodia	.tw	Taiwan
.ki	Kiribati	.vn	Viet Nam
.kr	Republic of Korea	.vu	Vanuatu
.kw	Kuwait	.ws	Samo
.la	Lao People's Democratic Republic		

- **Observation 2**

The ballots were sent by the e-mail address tally@icann.org, to the e-mail address of the primary contact of each eligible Asia-Pacific region ccNSO Member, as listed in the ccNSO Members database. The Election Process Manager forwarded one ballot to an alternative email address, based on the request of the respective ccTLD manager.
Tally, the tool used to send the ballots, reported delivery errors for two ccTLDs. The Election Process Manager therefore reached out to the IANA administrative contact and the IANA tech contact of the respective ccTLD managers. Moreover, colleagues from ICANN org Global Stakeholder Engagement team were requested to assist in reaching out to those ccTLD managers for which tally reported a delivery error. For none of the aforementioned ccTLD managers, the primary contact was adjusted before closure of the elections.

- **Observation 3**

Some ccNSO community members expressed concerns regarding the interpretation of the phrase "majority of the votes cast", when the election results were announced. The Election Manager brought these concerns to the attention of the ccNSO Council, who discussed the matter during its meeting on 19 November. The ccNSO Council looked at the wording in the applicable guideline and at the relevant section in the ICANN bylaws. Both are included below for your reference, and the

relevant wording has been highlighted in bold. The ccNSO Council decided that the wording of the ICANN bylaws is not sufficiently clear, and that the phrase "*the selected candidate must receive the votes of a **majority** of those cast by ccNSO members within the Geographic Region"* should be interpreted as *"the selected candidate must receive the votes of a **plurality** of those cast by ccNSO members within the Geographic Region."*

Extract from the applicable guideline:

> *[…] 6 Elections*
> *If at the close of nominations there are no more valid candidates in a particular Geographic Region than there are 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 to select the ccNSO Councillors from among the valid candidates. In such an election, a majority of all ccNSO members in the Geographic Region entitled to vote shall constitute a quorum, and **the selected candidate must receive the votes of a majority of those cast by ccNSO members within the Geographic Region**. The voting will be 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 more votes**. In the event 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. The full record of the number of votes will be published at the end of selection process on the ccNSO Website. The results of the election will be announced by the Election Manager. The Chair of the ccNSO Council shall inform the ICANN Secretary of the selection. […]*

Extract from the ICANN Bylaws, section 10.4 (i):

> *[…] (i) If at the close of nominations there are no more candidates nominated (with seconds and acceptances) in a particular Geographic Region than there are 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 by written ballot (which may be by e-mail) shall be held to select the **ccNSO** Council members from among those nominated (with seconds and acceptances), with **ccNSO** members from the Geographic Region being entitled to vote in the election through their designated representatives. **In such an election, a majority of all ccNSO members in the Geographic Region entitled to vote shall constitute a quorum, and the selected candidate must receive the votes of a majority of those cast by ccNSO members within the Geographic Region.** The **ccNSO** Council Chair shall provide the ICANN Secretary prompt written notice of the selection of **ccNSO** Council members under this paragraph. […]*
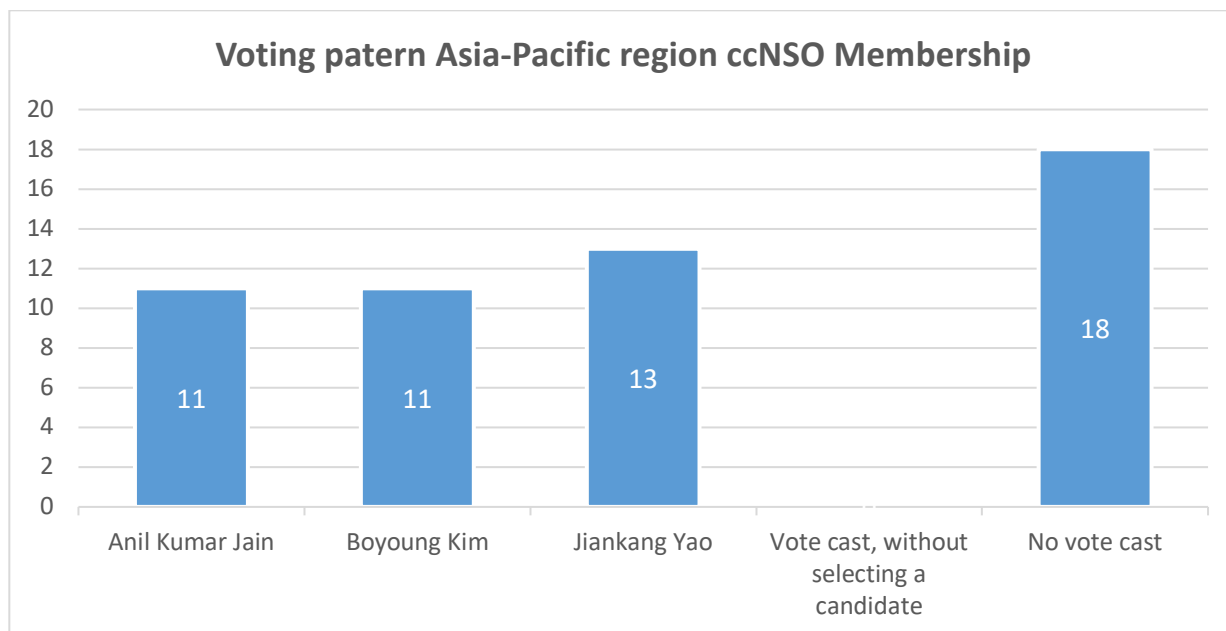
- **Recommendation 1**

In light of the discussions around the interpretation of the concept of "majority of the votes cast" described under "observation 3" in this document, the Election Process Manager recommends the ccNSO Guidelines Review Committee to review the wording of section 6 of the Council election guideline, to avoid possible confusion in the future. Below is a proposed revised phrasing. The words in bold and underlined were replaced.

> *[…] In such an election, a majority of all ccNSO members in the Geographic Region entitled to vote shall constitute a quorum, and the selected candidate must receive the votes of a **<u>plurality</u>** of those cast by ccNSO members within the Geographic Region. The voting will be 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 **<u>most</u>** votes. […]*

7.4. Election results

Out of 53 ccNSO members from the Asia-Pacific region, 35 members (66%) casted their votes: Anil Kumar Jain received 11 votes, Boyoung Kim also received 11 votes and Jiankang Yao received 13 votes. There were no members that voted without selecting any of the candidates.

Voting patern Asia-Pacific region ccNSO Membership

Candidate	Votes
Anil Kumar Jain	11
Boyoung Kim	11
Jiankang Yao	13
Vote cast, without selecting a candidate	
No vote cast	18

8. Closure of the Election Process

The elected candidates are: Hadji Mmadi Ali (Africa), Jiankang Yao (Asia-Pacific), Irina Danelia (Europe), Jenifer Lopez (Latin America - Caribbean), and Sean Copeland (North America). The Council Election process 2020 will formally close 7 days after adoption and publication of this report. The ccNSO Council Chair is requested to provide the ICANN Secretary prompt written notice of the selection of ccNSO Council members under section 10.4 (i) of the ICANN Bylaws. The Secretariat is requested to publish the report on the ccNSO website.