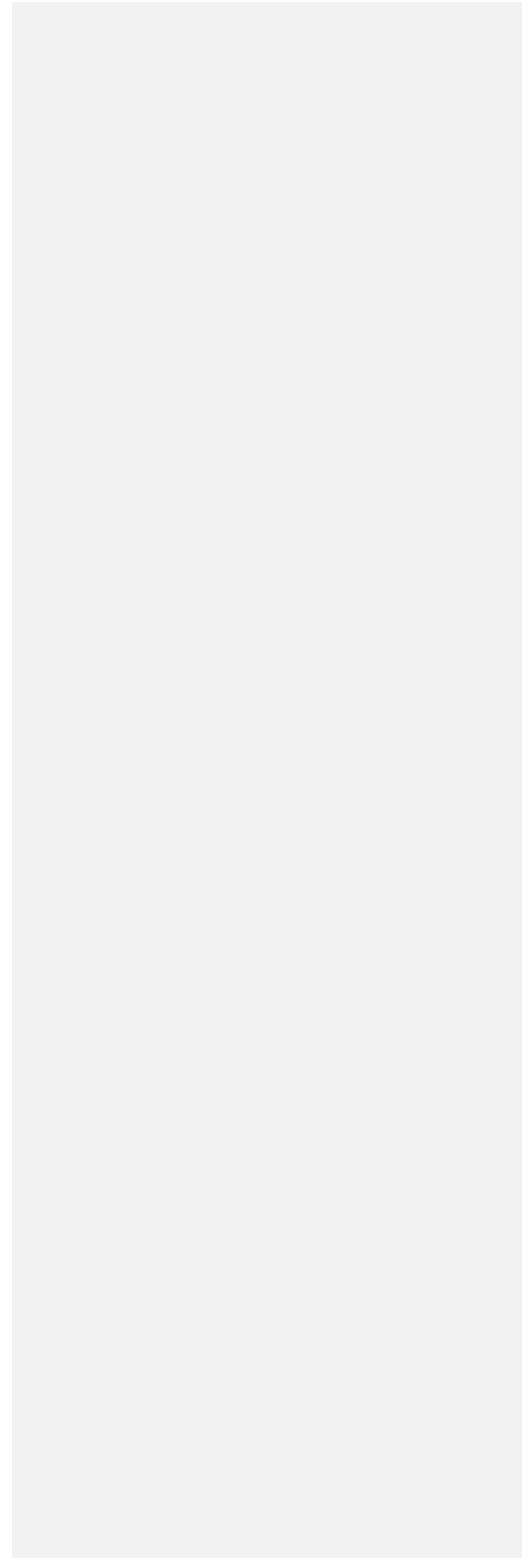1 **Guideline:**
2 **ccNSO Procedures Board (Member) Removal Process(es)**
3
4 Draft Version #14 - 17 January   2022
5 Last Date of review
6 Date of adoption by the ccNSO Council:
7
8

Table of Content

1 Introduction and Background

According to the ICANN Bylaws, the ccNSO as member of the Empowered Community has the right to seek the removal of:

1. A Director Nominated by the Nominating Committee holding Seats 1 through 8 by initiating the **NOMCOM Appointed Director Removal Process** (as described in section 4 of this Guideline).
2. A Director Nominated by the ccNSO per Section 7.2(a) of the Bylaws by initiating the **ccNSO Director Removal Process** (as described in Section 5 of this Guideline)
3. All Directors (other than the President) at the same time by initiating the **Board Recall Process** (as described in section 6 of this Guideline)

The process for removal of a Director appointed by another Supporting Organization or Advisory Committee is out of the scope of the ccNSO. This Guideline does not apply to the initiation of such a removal process. The ccNSO procedures to participate in a community forum and/or support the removal petition of other SO or AC are described in section 7 of this Guideline.

> **Commented [MOU1]:** To be updated after completion of NomCom removal and full board removal process

2 Purpose of the Guideline

The purpose of this Guideline is to describe the roles, procedures and actions for the ccNSO in its capacity as a Decisional Participant concerning the removal of individual members or full ICANN Board of Directors. For purposes of this Guideline, the ccNSO consists of the ccNSO Council and ccNSO Membership[1], each with their respective roles and responsibilities.

3 General Provisions

3.1 Representation of the ccNSO

The ccNSO interacts with other Decisional Participants, the Empowered Community Administration, and ICANN through the ccNSO Council. For purposes of this Guideline, the ccNSO Council is represented by the **Removal Process Manager**.

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[1] **Applicability of the Rules of the ccNSO**. According to the Rules of the ccNSO, a Council decision comes into effect 7 days after publication unless 10% of the ccNSO Membership notify the Chair of the they require a mebership vote to ratify or veto a Council decision. If the 10% threshold is met, a membership vote must be held and may start at its earliest five (5) days after the notification, and has to stay open for at least 14 days after the start of the vote. The member's vote is subject to a quorum rule: At least 50% of the members have to cast their vote in order to have a valid vote.

The Rules of the ccNSO are internal rules and operating procedures the ccNSO in accordance with Article 10, section 3.k and Article 10 section 4.b of the ICANN Bylaws. These rules and procedures have to be consistent with the ICANN Bylaws (section 10.3 (k)). Therefore the timelines prescribed in the relevant section of Annex D of the ICANN Bylaws are paramount. For this reason NO decision of the Council with respect to the Board Removal section is subject to the Rules of the ccNSO. See note section 5.3.5.

3.2   Appointment of the Removal Process Manager.

The ccNSO Council will appoint a ccNSO Councillor to serve as the **Removal Process Manager** and one other Councillor as the **Alternate Removal Process Manager.** To ensure continuity of process(es), the Alternate shall step in and take over the role and responsibilities of **Removal Process Manager** if the Councillor who is appointed as such is prevented from performing that role. The Alternate Removal Process Manager shall be copied in correspondence and participate in meetings as much as possible, however without taking any action, vote or be active in any other way, up and until the Alternate needs to step in**.** If both the Manager and alternate are not available, the ccNSO Chair is expected to and shall designate one or more other Councillor(s) to act as **Removal Process Manager**. Neither the ccNSO representative to the Empowered Community Administration (hereafter: **ECA**) nor the Rejection Action Petition Manager shall serve as the **Removal Process Manager**.

The appointment of the **Removal Process Manager** will be for one year, and the Manager may be re-appointed, provided the Manager remains a member of the ccNSO Council. When the **Removal Process Manager** is appointed by the ccNSO Council or the Chair, all other Decisional Participants, the **ECA**, the ccTLD Community and the ICANN Corporate Secretary will be informed.

3.3 Obligations of the Removal Process Manager.

The **Removal Process Manager** shall:

- Inform the ccNSO Council, ccNSO Membership and broader ccTLD Community promptly and accurately when the ccNSO (Council) receives a Removal Petition or request to support a Removal Petition.
- Provide prompt and accurate accounts of actions and decisions relating to the Removal Processes by the ccNSO Council and the ccNSO Membership to other Decisional Participants, ECA, ICANN Secretary and ICANN Board.
- Inform the ccNSO Council, ccNSO Membership and broader ccTLD community of the actions and decisions related to the Removal Processes described in this Guideline by the other Decisional Participants and the ECA.
- Attend conference call(s) before a Removal Action Community Forum.
- Attend the Removal Community Forums.
- Act as point of contact for the ccNSO and ccTLD Community concerning the procedures detailed in this Guideline.

3.4 Communication.

The method of communication between the **Removal Process Manager** and the ccTLD Community, other Decisional Participants, the Empowered Community Administration and ICANN, including but not limited to ICANN's Corporate Secretary, is email.

All ccNSO information and communication concerning a Removal Process under this Guideline will be archived. For each Removal Process the ccNSO Secretariat will create a separate web page, wiki space section and archive, which will include:

1. All communication and information to the community and all emails related to a Removal Process.
2. Any other communication that is not by email between the Removal Process Manager with the ccTLD Community, other Decisional Participants, the ECA, ICANN Staff, or the ICANN Corporate Secretary. If necessary, the communication should be documented.

A link to the Archive will be published on the ccNSO website.

4. NOMCOM Appointed Director(s) Removal Process

[procedures relating to section 3.1 ANNEX D]

In Section 4.1 decisions, actions, procedures and requirements concerning the ccNSO Procedures for the NOMCOM Director Removal Petition and requirements to act are detailed.

In Section 4.2 the decisions, actions, procedures and requirements of the ccNSO (Council) concerning the NOMCOM Director Removal Petition acceptance or rejection are described.

Section 4.3 describes the decisions, actions, procedures and requirements for the ccNSO to seek support from other Decisional Participants for the NOMCOM Director Removal Petition

Section 4.4 describes the decisions, actions, procedures and requirements of the ccNSO (Council) concerning the NOMCOM Director Removal Community Forum.

Section 4.5 describes the decisions, actions, procedures and requirements concerning NOMCOM Director removal decision. Although there are no specific procedural requirements or decisions required concerning NOMCOM Director Removal Supported Petition, voluntary arrangements are included to streamline the process and enhance transparency.

1 **Time table NOMCOM Director Removal Process**

2

Period	Starting event	Start date	Milestone	End date (days)	Total duration (days)	Doc. Section
NOMCOM Director Removal Petition Period	Date Receipt removal petition	Day 0	Council Decision to support/reject petition	21st after receipt petition	21 + Y (if extended)	4.1 & 4.2
NOMCOM Director Removal Petition Suppoprt Period	Support of NOMCOM Director Removal Petition	Day 22, 00.00 Pacific Time		7 Days after closure Director Removal Petition Period	28 + Y	4.3
NOMCOM Director Removal Community Forum Period	Supported Removal Petition	Day 28, 00.00 Pacific Time		21 Days after expiration Petition Support Period **OR** end ICANN meeting	49 + Y + X for extension to meet end-date upcoming ICANN meeting	4.4
NOMCOM Director Removal Decision Period	Expiration of Removal Community Period	Expiration of Removal Comment Period		20 Days	69 + X + Y Days	4.5
Closure of process	Removal or Termination Notice	69 + X + Y Days		1 Day	70	4.6

3

4 **4.1 Nominating Committee Director Removal Petition.**
5 This section details the procedures to be followed in case of a Removal Petition. It covers who may
6 submit a Petition, how to submit a Petition to the ccNSO as a Decisional Participant, and how the ccNSO
7 intends to accept or reject such petition. All references to "notices" and "notification" in this section
8 need to be in writing, either as formal correspondence or email.
9
10   **4.1.1 Who may submit a Removal NOMCOM Director Petition to the ccNSO Council?**
11   The ccNSO will consider NOMCOM Director Removal Petition from:
12   -   ccTLD Managers,
13   -   individual(s) directly related to a ccTLD manager,
14   -   ccNSO working groups or committees mandated to submit such a petition,
15   -   Regional ccTLD organisations (as defined in section 10.5 of the ICANN Bylaws),
16   -   the ccNSO Council.

Commented [BB2]: Acording to section 3.1 (a) the ccNSO may develop procedure re the NOMCOM Board meber removal process. Question: may the ccNSO limit who could submit a petiton ot the ccNSO i.e set limits / requirements around" individual"?
" Subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant seeking to remove a (NOMCOM)Director"..
Check with ICANN Legal after completion of draft

4.1.2 Requirements NOMCOM Director Removal Petition

The ccNSO Council will only consider for acceptance a **NOMCOM Director Removal Petition** if the petition:

- Is in writing
- Includes the affiliation of the person submitting the Petition and how the petitioner or affiliation is affected
- Contains sufficient detail to verify facts; if verifiable facts are asserted
- Supplies supporting evidence if available/applicable
- Includes references to applicable by-laws and/or procedures if the assertion is that a specific by-law or procedure has been breached.

Finally, the **NOMCOM Director Removal Petition** MUST be sent to the following email address: ccNSO-Petition@icann.org to be considered. The Chair and Vice -Chairs of the ccNSO Council, the Removal Process Manager and ccNSO secretariat are subscribed to the email address.

Once the ccNSO has received a **NOMCOM Director Removal Petition** the ccNSO is considerd to be the **Nominating Committee Director Removal PETITIONED Decisional Participant**

4.2 NOMCOM Director Removal Petition Period.

In accordance with ICANN Bylaws Annex D section 3.1 (b) the **NOMCOM Director Removal Petition Period** shall start on the date that the ccNSO Council has received the **NOMCOM Director Removal Petition,** at the email address specified in section 4.1.2 above**,** hereafter the ccNSO **Director Removal Petition Date.** The **NOMCOM Director Removal Petition Period** shall end 21 days after the start of this period. at 11.59 Pacific Time[2]

The **NOMCOM Director Removal Petition Period** shall be extended only as foreseen under 4.2.2.(v) below.

4.2.1 Verification NOMCOM Director Removal Petition-

Within two (2) business days following receipt of the **NOMCOM Director Removal Petition**, the **Removal Process Manager** together with the Chair and Vice-Chairs shall determine and advise Council whether all elements as listed in section 4.1.2 are included in the Petition.

If the **Removal Process Manager** together with the Chair and Vice-Chairs of the ccNSO unanamously determine that either:

1. the submitted documentation does not include one or more element(s) listed in section 4.1.2, or
2. the Director who is the subject of the **NOMCOM Director Removal Petition** has previously during the same term been subject to a **NOMCOM Director Removal Petition** that led to a **NOMCOM Director Removal Community Forum** (as discused in Section 3.1 (e) of Annex D of the Bylaws),

the Petition is deemed to be rejected by the ccNSO Council. The **Removal Process Manager**, shall inform the petitioner and the ccNSO Council accordingly.

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[2] Pacific time is UTC – 7 or UTC - 8, depending on daylight savings regime.

> **Commented [MOU3]:** Check with ICANNl Legal: what about snail-mail? What if send to ICANN Org head-office? Check with ICANN Legal after completion of draft

> **Commented [MOU4]:** Needs to be confirmed by ICANN legal

4.2.2 Actions by the Removal Process Manager, once a NOMCOM Director Removal Petition Period has started

Within three (3) business days of the start the **NOMCOM Director Removal Petition Period**, the **Removal Process Manager** shall:

i. Inform the ccNSO Council of receipt of a Removal Petition
ii. Inform the ccNSO Membership of receipt of a Removal Petition
iii. Instruct the secretariat to open the Board Removal section on the relvant web-page and in the wikispace.
iv. Inform the other Decisional Participants the ccNSO has recevied a NOMCOM Director Removal petition, and possible NOMCOM Director Removal Support Period (the period during which other Decisional Particpant need to decide, whether to support, reject or abstain from the **NOMCOM Director Removal Petition).**
v. Invite the ccNSO Council, the Director subject to the **NOMCOM Director Removal Petition** and the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director) to a dialogue with the Petitioners and the ccNSO's representative on the EC Administration. This invitation has been extended upon reasonable notice and accommodation to the affected Director's availability.

   If the invitation is accepted by either the relevant Director or the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director), the ccNSO Council shall not decide upon the ccNSO Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the dialogue. If as a result the dialogue is scheduled on day 18 or later into the **NOMCOM Director Removal Petition Period** the ccNSO Council meeting where a decision has to be made upon the **NOMCOM Director Removal Petition** shall be scheduled two days after the day of the dialogue, not being a public holiday. The **NOMCOM Director Removal Petition Period** shall be extended accordingly if needed.

vi. Propose dates for:
   a. The ccNSO Council meeting to enter into a dialogue with the relevant Director, the (Vice-)Chair of the Board and the ccNSO appointed representative on the ECA, and the individual(s) who submitted the **NOMCOM Director Removal Petition**
   b. The ccNSO Council meeting where the ccNSO Council shall accept or reject the petition, which shall be no later than one day before the end of the Period (which will be the twentieth (20th) day of the Period unless extended)

4.2.3 Rejection or Support NOMCOM Director Removal Petition.

During the **NOMCOM Director Removal Petition Period,** the ccNSO Council shall decide to accept or reject the **NOMC Director Removal Petition.** The ccNSO Council shall meet either in person or via tele-conference, no later than one day before the end of **NOMCOM Director Removal Petition Period** (which - unless the period is extended in accordance with section 4.2.2 (iv) above - is the twentieth (20th) day) to decide whether or not to accept or reject the Petition(s).

The **NOMCOM Director Removal Petition** shall be deemed to be rejected, if one or more of the following conditions applies as determined at the sole discretion of the ccNSO Council:

Commented [BB5]: This is added to ensure that the other DPs are informed as timely as possible they need to take action/decision.
Note: for soem DPs this may require ability to organsie extraordinary meetings at short notice, outside regualr schedule.

Commented [MOU6]: Does this imply that teh if the Chair of the Board and/or Affedcted board member is not avaialobe the pettion period is extended?

Commented [DD7R6]: It should be more clear on that.

- If one or more of the requirements of the **NOMCOM Director Removal Petition** is/are not met at the time of the Council meeting.
- if, during the same term as member of the Board, the Director who is the subject of the **NOMCOM Director Removal Petition** has previously been subject to a NOMCOM Director Removal Petition that led to a NOMCOM Director Removal Community Forum (as defined in Section 3.1(e) of Annex D of the Bylaws)
- If the NOMCOM Director who is subject of the Removal Petition has not been invited or this invitation has been extended upon unreasonable notice and accommodation to the affected Director's availability.
- If the ccNSO Council has not reached a decision on the **NOMCOM Director Removal Petition** one day before the end of the **NOMCOM Director Removal Petition Period** at 23.59 Pacific Time.

At its meeting, the ccNSO Council shall decide whether to support or reject the **NOMCOM Director Removal Petition(s).** In taking its decision, the ccNSO Council shall consider:
- the feedback, views and input received from the ccTLD community, regarding the **NOMCOM Director Removal Petition**(s), if any;
- Remainder of the term of the appointed Director
- Other factors deemed relevant by the ccNSO Council.

The **NOMCOM Director Removal Petion Notice** shall include the rationale upon which the removal of the NOMCOM Director is sought.

The decision to accept the **NOMCOM Director Removal Petition** must be supported by at least 10 Councillors and at least one from each of the ICANN Geographic Regions.

4.2.4 Nominating Committee Director Removal PETITIONING Decisional Participant The ccNSO is considerd to be the **Nominating Committee Director Removal PETITIONING Decisional Participant** once the ccNSO Council has accepted a **NOMCOM Director Removal Petition** during the **NOMCOM Director Removal Petition Period**

4.2.5 Communicating the decision to accept or reject the NOMCOM Director Removal Petition.
The **Removal Process Manager** shall:
1. Promptly, within 24 hours of the decision by the ccNSO Council to accept **NOMCOM Director Removal Petition** provide the **NOMCOM Director Removal Petition Notice** to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary.

   The **NOMCOM Director Removal Petition Notice** must include:
   (a) the rationale upon which the removal of the NOMCOM Director is sought.
   (b) The contact information of the **Removal Process Manager**

   If the EC Administration has not received the relevant **NOMCOM Director Removal Petition Notice** during the **NOMCOM Director Removal Petition Period**,

Commented [BB8]: From David: shouldn't this language be up in section 4.1.2? BB Comment: This is about the rationale from the ccNSO (Council), which should be included in the Notice to the other DPs etc.

the **NOCOM Director Removal Process** shall automatically be terminated with respect to the applicable **NOMCOM Director Removal Petition**

2. Inform the ccNSO membership of result of the ccNSO Council decision-making procedure on the **NOMCOM Director Removal Petition**. The result shall be published within 24 hours after the end of the (extended) **NOMCOM Director Removal Petion Period.** The ccNSO shall be informed accordingly by the ccNSO Secretariat on the relevant ccNSO and ccTLD mailing lists, as well as on the ccNSO website and/or wiki.

4.3 Support other Decisional Participants for the NOMCOM Removal Petition
4.3.1 Solicitating Support from other Decisional Participants
Immediately following the submission of the **NOMCOM Director Removal Petition Notice** to the Empowered Community Administration and the other Decisional Participants, the **Removal Process Manager**, shall contact the other Decisional Participants to invite them formally to support the **NOMCOM Director Removal Petition** accepted by the ccNSO Council.

All correspondence between the **Removal Process Manager** and other Decisional Participants, the ICANN Secretary, and the Empowered Community Administration shall be posted on the ccNSO website/or wiki space.

4.3.2 Supported NOMCOM Director Removal Petition
If the ccNSO receives the support for its **NOMCOM Director Removal Petition(s)** from at least one other Decisional Participant within seven (7) days after closure of the **NOMCOM Director Removal Petition Period**, the ccNSO initiated **NOMCOM Director Removal Petition** shall be known as the **NOMCOM Director Removal Supported Petition**. Within twenty-four (24) hours of receiving said support, the **Removal Process Manager** shall provide a written notice on behalf of the ccNSO to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary of having received the required support.

Additionally, the **Removal Process Manager** will formally submit the **NOMCOM Director Removal Supported Petition** to the:
- Empowered Community Administration,
- other Decisional Participants, and
- ICANN Secretary.

In accordance with Annex D Section 3.1 (d) (i) the **NOMCOM Director Removal Supported Petition** MUST include at a minimum the following:

- A supporting rationale in reasonable detail,

- Contact details for the Rejection Action Petition Manager, and/or contact details of the **NOMCOM Director Removal Supporting Decisional Particpant**

- A statement whether the ccNSO and/or **NOMCOM Director Removal Supporting Decisional Particpant** requests that ICANN organize a publically available conference call prior to the Rejection Action Community Forum is requested,

- A statement whether whether the ccNSO and the **NOMCOM Director Removal Supporting Decisional Particpant** have determined to hold a **NOMCOM Director Removal Community Forum**

- A statement whether or not the **NOMCOM Director Removal Community Forum**, should one be conducted, be held during the next scheduled ICANN public meeting.

4.3.3 No Support for ccNSO NOMCOM Director Removal Petition

If, at the end of the seventh (7th) day after conclusion of the **NOMCOM Director Removal Petition Period** no other Decisional Participant has expressed its support for the ccNSO **NOMCOM Director Removal Petition,** the Process ends. The **Removal Process Manager** shall notify the Empowered Community Administration of the lack of support for the **NOMCOM Director Removal Petition**. Additionally, the **Removal Porcess Manager** shall inform the ccNSO Council and ccTLD community that the **NOMCOM Director Removal Petition** cannot go forward due to a lack of support from other Decisional Participants. The ccNSO Secretariat will publish this information to the ccNSO and ccTLD Community mailing lists, as well as post it on the ccNSO website/wiki.

4.4 Procedures with respect to NOMCOM Director Removal Community Forum

This section details the ccNSO procedures with respect to a **NOMCOM Director Removal Community Forum**. Unless explicitly determined otherwise, the **NOMCOM Director Removal Community Forum Period** shall start when the **NOMCOM Director Removal Support Period** (section 4.3 above) ends and closes after twenty-one (21) days[3].

4.4.1 Community Forum

Following the ICANN announcement to convene a **NOMCOM Director Removal Community Forum**, the **Removal Process Manager** will inform the ccNSO community on the details of this Forum.
The ccNSO, via the **Removal Process Manager**, will participate in any **NOMCOM Director Removal Community Forum** convened by ICANN.

4.4.2 ccNSO community input

The **Removal Process Manager** will request the ccTLD community to provide input and/or feedback on the Supported Petition(s) to inform the **NOMCOM Director Removal Community Forum**. The manner in which the input and feed-back will be requested from the community and then provided to the ECA will be determined by the ccNSO Council prior to requesting the ccNSO community to provide their feed-back and input.
The ccNSO Council is advised to discuss how the ccNSO community should provide input and feed-back at its meeting to decide to support a Rejection Action Petition (section 4.3.4 above).

4.4.3 Rescinding Support of the Supported Petition during the Community Forum Period

During any time up and until the eighth (8th) day before the end of the **NOMCOM Director Removal Community Forum Period**, the ccNSO Council may elect to rescind its support of the **NOMCOM Director Removal Supported Petition**. The decision to rescind shall be made by a 2/3 super-majority vote of the votes cast by a quorate[4] ccNSO Council.

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[3] ICANN Bylaws, Annex D, section 3.1 (e)

[4] A quorate ccNSO Council is quorate if at least 10 Councillors are present with at least one representative from each ICANN Region.

Commented [BB9]: What does this imply in. Times of virtual meetings?
DAvid suggests to add whether that be an in-person or virtual meeting.
BB Comment: I agree, however this again a point to clairify with ICANN legal.

In taking its decision the ccNSO Council shall consider:

- the feed-back, views and input received from the ccNSO community regarding the **NOMCOM Director Removal Supported Petition**;

- the importance of the matter for the ccNSO community and other factors deemed relevant by the ccNSO Council.

This ccNSO Council decision is subject to the Rules of the ccNSO. The ccNSO Council decision shall be published on the ccNSO website/wiki as soon as practically possible and the ccNSO community shall be informed about the decision by the ccNSO Secretariat and will become effective 7 calendar days after publication.

Once the decision has become effective, the **Removal Process Manager** shall notify the ECA, the other Decisional Participants, and the ICANN Secretary of the decision by the ccNSO Council to rescind their support for the **NOMCOM Director Removal Supported Petition**.

4.5 Final Decision NOMCOM Director Removal Supported Petition

4.5.1Council meeting

Following the ICANN announcement to convene a **NOMCOM Director Removal Community Forum**, the Chair of the ccNSO Council shall schedule a Council meeting for final decision making on the **NOMCOM Director Removal Supported Petition(s).**

This ccNSO Council meeting should be scheduled by the thirteenth (13th) day of the **NOMCOM Director Removal Supported Petitoin Decision Period**, which directly follows the Community Forum Period.

4.5.2 The ccNSO Decision

No later than on the thirteenth (13th) day at 23.59 UTC of the Rejection Action Decision Period, the ccNSO Council must have decided whether to:

- Support the **NOMCOM Director Removal Supported Petition** (and thereby support the removal of the NOMCOM Director),

- Object to the **NOMCOM Director Removal Supported Petition**, or

- Abstain from the matter. Abstention will not count as support or objection to a **NOMCOM Director Removal Supported Petition**.

In taking its decision, the ccNSO Council shall consider:

- the feed-back, views and input received from the ccNSO Community regarding the **NOMCOM Director Removal Supported Petition**;

- the importance of the matter for the ccNSO Community and other factors deemed relevant by the ccNSO Council.

The ccNSO Council decision to support the **NOMCOM Director Removal Supported Petition** has to be taken with a super-majority of 2/3 of the votes cast supporting the Petition at a quorate ccNSO Council meeting.

The ccNSO Council decision to reject the **NOMCOM Director Removal Supported Petition** has to be taken by a simple majority of the votes cast rejecting the Petition at a quorate ccNSO Council meeting.

Commented [BB10]: This is different thereshold then for the ccNSO Director removal petition

In all other cases the ccNSO Council is deemed to have abstained[5].

This ccNSO Council decision to support or reject a **NOMCOM Director Removal Supported Petition** is subject to Rules of the ccNSO. The ccNSO Council decision shall be published on the ccNSO website/wiki as soon as practically possible and the ccNSO community shall be informed about the decision by the **Removal Process Manager**.

If the ccNSO Council decision is not effective by the 20th day at 23.59 Pacific Time of the **NOMCOM Director Removal Supported Petition Decision Period** (as defined in the ICANN Bylaws), the ccNSO is deemed to have abstained from the matter.

4.6 NOMCOM Director Removal Notice

As soon as the ccNSO Council's decision has become effective, and prior to 21st day, 23:59 Pacific Time (the local time of the LA office of ICANN) the **Removal Process Manager** MUST have conveyed the notice to the Empowered Community Administration and the ICANN Secretary whether the ccNSO supports, rejects or abstains from the **NOMCOM Director Removal Supported Petition**. This notice shall be published on the relevant ccNSO and ccTLD mailing lists, as well as the ccNSO website/wiki.

In the event that the ccNSO Council has been deemed to have abstained (e.g. has not taken a timely decision according to section), the **Removal Process Manager** shall inform the Empowered Community Administration and the ICANN Secretary accordingly within the timeline mentioned in this section. This notification shall be published on the relevant ccNSO and ccTLD mailing lists, as well as on the ccNSO website/wiki.

Commented [BB11]: Bote the difference

Commented [BB12]: SECTION TO BE UPDATED AFTER CONCLUSION OF DISCUSSION SECTION 6.5. DECISION PROCESS SHOULD BE SIMILAR, SAME THRESHOLDS ETC.

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[5] To make this work the first question has to be who supports the Petitions, if threshold is not met, second question needs to be who rejects the petitions, if none of these positions meet the required thresholds, the ccNSO is deemed to have abstained. The kind of ccNSO decision - support, reject or abstain - is relevant to determine the overall level of support for a NOMCOm Director Removal Supported Petition, see Annex D section Section 3.1(g).

5 ccNSO Director(s) Removal Process

Section 5.1 describes the decisions, actions, procedures and requirements concerning the ccNSO Director removal petition.

Section 5.2 describes the decisions, actions, procedures and requirements of the ccNSO (Council) concerning the initial ccNSO Director Removal Petition acceptance or rejection.

Section 5.3 describes the decisions, actions and procedures relating to the Community Forum.

Although there are no specific procedural requirements or decisions required concerning the ccNSO Director Removal Comment Period, some voluntary arrangements are included (section 5.4) to streamline the process and enhance transparency.

The decision, actions, procedures and requirements concerning the ccNSO Director removal decision are included in section 5.5.

In Section 5.6, specifics of the ccNSO Director removal Notice are described.

Time table ccNSO Director Removal Process

Period	Milestone	Start date	End date	Total duration	Section of document
ccNSO Director Removal Petition Period	Date Receipt removal petition	Day 0	21st Day after receipt petition	21 + Y days(if extended)	5.2
Removal Action Community Forum Period	Expiration Petition Period	Day 22, 00.00 Pacific Time	21st Day after expiration, or end ICANN meeting	42 + Y days + extension to meet end-date upcoming ICANN meeting	5.3.2
ccNSO Director Removal Comment Period	Open Public Forum on ICANN website	X days after Community Forum Period	7 days	49 + X + Y days	5.4
ccNSO Director Removal Decision Period	Expiration of Removal Comment Period	Expiration of Removal Comment Period	21 Days	70 + X + Y Days	5.5.1
Closure of process	Removal or Termination Notice	70 + X + Y Days			5.6

Note, if deadlines are not met by the ccNSO, the ccNSO Director Removal Process terminates.

5.1 ccNSO Director Removal Petition.

This section details the procedures to be followed in case of a Removal Petition. It covers who may submit a Petition, how to submit a Petition to the ccNSO as a Decisional Participant, and how the ccNSO intends to accept or reject such a petition. All references to "notices" and "notification" in this section need to be in writing, either as formal correspondence or email.

5.1.1 Who may submit a Removal ccNSO Director Petition to the ccNSO Council?

The ccNSO will consider Petition from anyone, [~~who has a clear and demonstrated interest in the removal of the ccNSO Director~~]

> **Commented [MOU13]:** Delineate who may submit a petition. Should this remain to be included?
> Or, alternatively, strike this sentence?

5.1.2 Requirements ccNSO Director Removal Petition

The ccNSO Council will only consider for acceptance a **ccNSO Director Removal Petition** if the petition:

- Is in writing
- Includes the affiliation of the person submitting the Petition and how the petitioner or affiliation is affected
- Contains sufficient detail to verify facts; if verifiable facts are asserted
- Supplies supporting evidence if available/applicable
- Includes references to applicable bylaws and/or procedures if the assertion is that a specific bylaw or procedure has been breached.

Finally, the **ccNSO Director Removal Petition** MUST be sent to the following email address: ccNSO-Petition@icann.org to be considered. The Chair and Vice-Chairs of the ccNSO Council, the Removal Process Manager and the ccNSO Secretariat are subscribed to the email address.

> **Commented [MOU14]:** Check with ICANN Legal: what about snail-mail? What if send to ICANN Org head-office? What are petition requirements looking at "Good Faith" recommendation WS 2.

5.2 ccNSO Director Removal Petition Period.

Per ICANN Bylaws Annex D section 3.2 (b), the **ccNSO Director Removal Petition Period** shall start on the date that the ccNSO Council has received the **ccNSO Director Removal Petition,** hereafter the ccNSO **Director Removal Petition Date.** The **ccNSO Director Removal Petition Period** shall end 21 days after the start of this period. at 11.59 Pacific Time[6]

The **ccNSO Director Removal Petition Period** shall be extended only as foreseen under 5.2.2. (iv) below.

> **Commented [MOU15]:** Needs to be confirmed by ICANN legal

5.2.1 Verification ccNSO Director Removal Petition-

Within two business days following receipt of the **ccNSO Director Removal Petition**, the **Removal Process Manager,** together with the Chair and Vice-Chairs, shall determine and advise Council whether all elements as listed in section 5.1.2 are included in the Petition.

If the **Removal Process Manager,** together with the Chair and Vice-Chairs of the ccNSO, unanimously determine that either:

3. the submitted documentation does not include one or more element(s) listed in section 5.1.2, or

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[6] Pacific time is UTC – 7 or UTC - 8, depending on daylight savings regime.

4. the Director who is the subject of the **ccNSO Director Removal Petition** has previously been subject to a ccNSO Director Removal Petition that led to a ccNSO Director Removal Community Forum (as defined in <u>Section 3.2(d)</u> of <u>Annex D of the Bylaws</u>),
the Petition is deemed to be rejected by the ccNSO Council. The **Removal Process Manager** shall inform the petitioner and the ccNSO Council accordingly.

5.2.2 Actions by the Removal Process Manager, once a ccNSO Director Removal Petition Period has started

Within two business days of the start of the **ccNSO Director Removal Petition Period**, the **Removal Process Manager** shall:
   vii. Inform the ccNSO Council of receipt of a Removal Petition
   viii. Inform the ccNSO Membership of receipt of a Removal Petition
   ix.   Instruct the secretariat to open the Board Removal section on the relevant web-page and in the wikispace.
   x.   Invite the ccNSO Council, the Director subject to the **ccNSO Director Removal Petition** and the Chair of the Board (or the Vice-Chair of the Board if the Chair is the affected Director) to a dialogue with the Petitioners and the ccNSO's representative on the EC Administration. This invitation has been extended upon reasonable notice and accommodation to the affected Director's availability.
   If the invitation is accepted by either the relevant Director or the Chair of the Board (or the Vice-Chair of the Board if the Chair is the affected Director), the ccNSO Council shall not decide upon the ccNSO Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the discussion. If, as a result, the dialogue is scheduled on day 18 or later into the **ccNSO Director Removal Petition Period** the ccNSO Council meeting where a decision has to be made upon the **ccNSO Director Removal Petition** shall be scheduled two days after the day of the dialogue, not being a public holiday. The **ccNSO Director Removal Petition Period** shall be extended accordingly if needed.
   xi.   Propose dates for:
         c. The ccNSO Council meeting to enter into a dialogue with the relevant Director, the (Vice-)Chair of the Board and the ccNSO appointed representative on the ECA, and the individual(s) who submitted the **ccNSO Director Removal Petition**
         d. The ccNSO Council meeting where the ccNSO Council shall accept or reject the petition, which shall be no later than one day before the end of the Period (which will be the twentieth (20th) day of the Period unless extended)

5.2.3 Rejection or Support ccNSO Director Removal Petition.
During the **ccNSO Director Removal Petition Period,** the ccNSO Council shall decide to accept or reject the **ccNSO Director Removal Petition.** The ccNSO Council shall meet either in person or via teleconference, no later than one day before the end of **ccNSO Director Removal Petition Period** (which - unless the period is extended per section 5.2.2 (iv) above - is the twentieth (20th) day) to decide whether or not to accept or reject the Petition(s).

The **ccNSO Director Removal Petition** shall be deemed to be rejected if one or more of the following conditions applies as determined at the sole discretion of the ccNSO Council:

Commented [MOU16]: Does this imply that teh if the Chair of the Board and/or Affedcted board member is not availabe the pettion period is extended?

Commented [DD17R16]: It should be more clear on that.

Commented [MOU18]: Can this be included in this way?

- If one or more of the requirements of the **ccNSO Director Removal Petition** is/are not met at the time of the Council meeting.
- if, during the same term as a member of the Board, the Director who is the subject of the **ccNSO Director Removal Petition** has previously been subject to a ccNSO Director Removal Petition that led to a ccNSO Director Removal Community Forum (as defined in Section 3.2(d) of Annex D of the Bylaws)
- If the ccNSO Director who is subject of the Removal Petition has not been invited or this invitation has been extended upon unreasonable notice and accommodation to the affected Director's availability.
- If the ccNSO Council has not decided on the ccNSO Director Removal Action Petition one day before the end of the **ccNSO Director Removal Petition Period** at 23.59 Pacific Time.

At its meeting, the ccNSO Council shall decide whether to support or reject the **ccNSO Director Removal Petition(s).** In taking its decision, the ccNSO Council shall consider:
- the feedback, views and input received from the ccTLD community, regarding the **ccNSO Director Removal Petition**(s), if any;
- The remainder of the term of the ccNSO appointed Director
- Other factors deemed relevant by the ccNSO Council.

If the ccNSO Council decides to support the Petition, it must decide whether to request the ECA to hold a Community Forum at the first upcoming ICANN meeting (Section 3.2 (d) (ii) Annex D of the ICANN Bylaws), and the ccNSO Council is advised to discuss how the ccTLD community could provide input and feedback during the Community Forum.

The decision to accept the **ccNSO Director Removal Petition** must be supported by at least 10 Councillors and at least one from each of the ICANN Geographic Regions.

5.2.4 Communicating the decision to accept or reject the ccNSO Director Removal Decision.
The **Removal Process Manager** shall:
3. Promptly, within 24 hours of the decision by the ccNSO Council to accept **ccNSO Director Removal Petition** provide the **ccNSO Director Removal Petition Notice** to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary.

Per the Bylaws[7] the **ccNSO Director Removal Petition Notice** must include:
(c) A supporting rationale in reasonable detail

(d) The contact information of the **Removal Process Manager**

(e) A ccNSO Council statement whether or not the ccNSO requests that ICANN organize a publicly-available conference call before the **ccNSO Director Removal Community Forum**

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[7] ICANN Bylaws, Annex D Section 3.2(c)(i)(A-D)

(f) A statement as to whether the ccNSO has determined to hold the **ccNSO Director Removal Community Forum** during the next scheduled ICANN public meeting.

If the EC Administration has not received the relevant **ccNSO Director Removal Petition Notice** during the **ccNSO Director Removal Petition Period**, the **ccNSO Director Removal Process** shall automatically be terminated with respect to the applicable **ccNSO Director Removal Petition**

4. Additionally, the ccNSO's representative to the Empowered Community Administration shall be informed of the decision reached by the ccNSO Council.

5. Inform the ccNSO Membership of the result of the ccNSO Council decision making procedure on the ccNSO Director Removal Petition. The result shall be published within 24 hours after the end of the (extended) **ccNSO Director Removal Petition Period.** The ccNSO shall be informed accordingly by the ccNSO Secretariat on the relevant ccNSO and ccTLD mailing lists, as well as on the ccNSO website and/or wiki.

5.3 ccNSO appointed Director Removal Community Forum

5.3.1 ccNSO Director Removal Action Community Forum
Any SO/AC Director Removal Action Community Forum, including the ccNSO Director Removal Action Community Forum, shall be convened by ICANN at the direction of the ECA. The **ccNSO Director Removal Action Community Forum** is the forum at which the Decisional Participants and interested parties may discuss the **ccNSO Director Removal Petition Notice**

5.3.2 ccNSO Director Removal Action Community Forum Period. Unless the ccNSO Council has requested the forum to be held in conjunction with an ICANN meeting, the ccNSO Director Removal Action Community Forum Period shall start at the expiration of the **ccNSO Removal Petition Period** and ending on the 21st day after the expiry of the **ccNSO Removal Petition Period** at 23:59 (Pacific Time).

If the **ccNSO Director Removal Action Community Forum** shall be held during the next scheduled ICANN public meeting as requested by the ccNSO and on the date and at the time determined by ICANN, and that public meeting is held after 11:59 p.m. (as calculated by local time at the location of ICANN's principal office) on the 21st day after the expiration of the **ccNSO Removal Petition Period**, the **ccNSO Director Removal Community Forum Period** shall expire on the official last day of such ICANN public meeting at 11:59 p.m., local time of the city hosting such ICANN public meeting.

5.3.3 Informing the community. Following the ICANN announcement of convening the **ccNSO Director Removal Action Community Forum**, the **Removal Process Manager** shall inform the ccTLD community on the details of the Community Forum. Note that no individual from the ccNSO, nor the individual who initiated the **ccNSO Director Removal Petition**, shall be permitted to participate in the management or moderation of the **ccNSO Director Removal Community Forum**.

The **Removal Process Manager** shall – after consulting the Chair of the ccNSO - convene a ccNSO Council meeting by the eighth (8th) day before the end of the **ccNSO Director Removal Action**

1. **Community Forum Period.** This meeting is intended to allow for a timely Council decision on the issue
2. identified in the **ccNSO Director Removal Petition.**

3. **5.3.4 Community Feedback.**
4. The **Removal Process Manager** will request the ccTLD community to provide input and / or feedback
5. from the ccTLD community on the **ccNSO Director Removal Community Forum**. The input and / or
6. feedback is required to be provided through the ccNSO Council to the Empowered Community
7. Administration. How the input and feedback from the community will be provided to the Empowered
8. Community Administration will be determined by the ccNSO Council before giving such feedback. For
9. example, the ccNSO Council could decide that the most appropriate manner will be a ccNSO Statement
10. according to the ccNSO Statement procedure.
11. To determine the most appropriate course of action, the ccNSO Council will take into account and will
12. be guided by the anticipated timelines, the importance of the matter under consideration for the ccTLD
13. community as indicated by the quantity and quality of the feedback and input received by the ccNSO
14. Council and other factors deemed relevant by the ccNSO Council.
15.
16. **5.3.5 Results of Community Forum to be shared with ccNSO Council and ccNSO Membership.** To
17. ensure that the ccNSO Council and members are informed about the results of the community forum,
18. the **Removal Process Manager** will summarize the proceedings of the community forum and share
19. them on the list as soon as possible after the closure of the **ccNSO Director Removal Action Community**
20. **Forum Period**.
21.
22. **5.3.6 Resolution of Issue during the Community Forum Period**
23. During any time up and until the eighth (8th) day before the end of the **ccNSO Director Removal Action**
24. **Community Forum Period**, the ccNSO Council may elect to agree that the issue raised in the **ccNSO**
25. **Director Removal Petition** has been resolved. The decision to recognize that the issue has been resolved
26. must be supported by at least 10 Councillors and at least one form each of the ICANN Geographic
27. Region.

Commented [MOU19]: This is majority of Councillors (18 Councillors) and additional requirement of regional representation.

28.
29. In making its decision, the ccNSO Council shall consider:
30. • the feed-back, views and input received from the ccNSO community and others regarding
31. **ccNSO Director Removal Petition**;
32. • Other factors deemed relevant by the ccNSO Council.
33.
34. This ccNSO Council decision is NOT subject to the Rules of the ccNSO. However, the ccNSO Council
35. decision shall be published on the ccNSO website/wiki as soon as practically possible, and the ccNSO
36. Members shall be informed about the decision by the ccNSO Secretariat. It will become effective 7
37. calendar days after publication. If during the period starting after the Council decision and before the
38. end of the Community Forum 34 % of ccNSO Members object, the decision will be rescinded, and not
39. become effective.

Commented [MOU20]: Rationale, effective it means that 18 members can overturn any decision of the Council by asking for a vote, as this automatically means the group overruns the timeline.

Commented [MOU21]: This effectively means that a large a supermajority to agree to stop the process.

40.
41. Once the decision has become effective, the **Removal Process Manager** shall notify the ECA, the other
42. Decisional Participants, and the ICANN Secretary of the decision by the ccNSO Council to agree that the
43. issue identified in the **ccNSO Director Removal Petition** has been resolved.
44.
45.

5.4 ccNSO Director Removal Comment Period

Directly following the expiration of the **ccNSO Director Removal Community Forum Period** and at the request of the ECA, ICANN shall issue a request for comments and recommendations. The **ccNSO Director Removal Comment Period** shall start on the day the request for comments was posted on the ICANN website and expire on the seventh (7th) day after the posting at 23.59 PST (Pacific Time).

On the day the **ccNSO Director Comment Period** starts the **Removal Process Manager** shall inform the ccTLD community of the start of the **ccNSO Director Removal Comment Period** and convene a ccNSO Council meeting between the sixth (6th) and no later than the tenth (10th) day at 23.59 UTC following the expiration of **the ccNSO Director Comment Period.** At this meeting, the ccNSO Council is expected to decide whether to agree or object to the **ccNSO Director Removal Petition.**

After the closure of the **ccNSO Director Removal Comment Period,** the **Removal Process Manager** will inform the Councillors and ccNSO Membership of the closure and will forward the (links to) the comments and recommendations received, if any.

5.5 ccNSO Director Removal Decision

5.5.1 Definition ccNSO Director Removal Decision Period. The **ccNSO Director Removal Decision Period** shall start at the end of the expiration of the **ccNSO Director Removal Comment Period** and close on the twenty-first 21st day at 23.59 Pacific Time after the expiry of this period.

5.5.2 Decisions During the ccNSO Director Removal Decision Period. During the **ccNSO Director Removal Decision Period,** the ccNSO shall decide whether or not the ccNSO supports the **ccNSO Director Removal Petition**.

In taking its decision, the ccNSO Council shall consider:

- the feed-back, views and input received:

    - from the ccNSO Director who is subject of the **ccNSO Director Removal Petition** and the Chair of the Board, if any

    - The Petitioner, if any

    - the ccNSO and broader ccTLD Community, if any

    - during the **ccNSO Director Removal Community Forum**

    - during the **ccNSO Board Director Removal Comment Period**

- Other factors deemed relevant by the ccNSO Council.

The ccNSO Council decision whether to support or reject the **ccNSO Director Removal Petition** has to be taken ultimately at the eleventh (11th) day at noon (12.00) UTC into the **ccNSO Director Removal Decision Period.**

> **5.5.2.1. Supermajority ccNSO Council Decision to support the ccNSO Director Removal Petition**. The ccNSO Council decision to support the **ccNSO Director Removal Petition** must be taken with a supermajority of 14 or more Councillors and at least one from each of the ICANN

Commented [MOU22]: Depending on who takes the decision: Council, Membership or both.

Geographic Regions. The ccNSO Council decision shall be published on the ccNSO Website immediately following the closure of the meeting and shall include an explanation of the reasons as to why it has chosen to remove the ccNSO appointed Director.

The Decision becomes effective on the 20th day of the **ccNSO Director Removal Decision Period** at 23.59 UTC unless by the 20th day into the **ccNSO Director Removal Decision Period, UNLESS** at least 34 % of the ccNSO Members indicated not to support the decision of the ccNSO Council. The Rules of the ccNSO do NOT apply to this decision of the ccNSO Council.

5.5.2.2 ccNSO Council Decision to reject the ccNSO Director Removal Petition
If the ccNSO Council does not support the **ccNSO Director Removal Petition (i.e., there is no supermajority to support the Petition),** the ccNSO Council decision shall be published on the ccNSO Website immediately following the closure of the meeting. The ccNSO Council decision shall include an explanation of the reasons as to why it has not supported the **ccNSO Director Removal Petition**.

The Decision shall become effective on the 20th day of the **ccNSO Director Removal Decision Period** at 23.59 UTC unless by the 20th day into the **ccNSO Director Removal Decision Period, UNLESS** at least 67 % of the ccNSO Members indicate support for the **ccNSO Director Removal Petition**. The Rules of the ccNSO do NOT apply to this decision of the ccNSO Council.

5.5.2.3 No ccNSO Council Decision or if too late
If the ccNSO Council has not decided by the 11th day at noon (12.00) UTC into the **ccNSO Director Removal Decision Period,** the ccNSO Council shall be deemed not to support the **ccNSO Board Removal Petition.** The **Removal Process Manager** shall inform the community accordingly by the 11th day at 23.59 UTC. If by the 20th day into **ccNSO Director Removal Decision Period** at least 67% of the ccNSO Members indicate to support the **ccNSO Director Removal Petition,** the **ccNSO Director Removal Petition** is deemed to be supported.

5.5.3 Lack of support removal decision. If the ccNSO does not support the **ccNSO Director Removal Petition** by the 20th day at 23.59 UTC into **ccNSO Director Removal Decision Period**, the **ccNSO Director Removal Process** is closed from a ccNSO perspective. On the 21st day into the **ccNSO Director Removal Decision Period** before 23.59 UTC, the **Removal Process Manager** shall inform the ccNSO appointed Directors, the ccTLD community and the ECA accordingly.

5.6 ccNSO Director Removal Notice

Within 24 hours after the decision to support/accept the **ccNSO Director Removal Petition** has become effective, the **Removal Process Manager** shall inform in writing the EC Administration, the other Decisional Participants and Secretary that the ccNSO has accepted the **ccNSO Removal Action Petition** following the internal procedures of the ccNSO and with a three-quarter majority (the **ccNSO Director Removal Notice**).

The **Removal Process Manager** shall act on behalf of the ccNSO Council direct ICANN to post concurrently with the **ccNSO Director Removal Notice** submission the ccNSO explanation as to why the ccNSO has chosen to remove the affected Director.

Commented [MOU23]: If 34 % of the membership does not support the petion it measn that ther si no supermajoriyt amongst the members. Assuming that 66 % of the mebership is considered a supermajority.

Commented [MOU24]: This is a supermajority of more then 2/3 of the membership who support the petition

Commented [MOU25]: Thsi need to be discussed with the members ! Priciple decision. Possibly: run a webinar explain this and then circualte draft for comments.

6. Board Recall Process

[Placeholder for procedures relating to section 3.3 ANNEX D]

      [procedures relating to section 3.1 ANNEX D]

In Section 6.1 decisions, actions, procedures and requirements concerning the ccNSO Procedures Board Recall Petition and requirements to act are detailed.

In Section 6.2 the decisions, actions, procedures and requirements of the ccNSO (Council) concerning the Board Recall Petition acceptance or rejection are described.

Section 6.3 describes the decisions, actions, procedures and requirements for the ccNSO to seek support from other Decisional Participants for the Board Recall Petition

Section 6.4 describes the decisions, actions, procedures and requirements of the ccNSO (Council) concerning the Board Recall Community Forum.

Section 6.5 describes the decisions, actions, procedures and requirements concerning Board Recall decision. Although there are no specific procedural requirements or decisions required concerning Board Recall Supported Petition, voluntary arrangements are included to streamline the process and enhance transparency.

1 **Time table Board Recall Process**
2

Period	Starting event	Start date	Milestone	End date (days)	Total duration (days)	Doc. Section
Board Recall Petition Period	Date Receipt removal petition	Day 0	Council Decision to support/reject petition	21st after receipt petition	21	6.1 & 6.2
Board Recall Petition Support Period	Support of Board Recall Petition	Day 22, 00.00 Pacific Time		7 Days after closure Director Removal Petition Period	28	6.3
Board Recall Community Forum Period	Supported Removal Petition	Day 28, 00.00 Pacific Time		21 Days after expiration Support Period **OR** end ICANN meeting	49 + X for extension to end-date ICANN meeting	6.4
Board Recall Decision Period	Expiration of Removal Community Period	Expiration of Removal Comment Period		20 Days	69 + X + Y Days	6.5
Closure of process	Removal or Termination Notice	69 + X + Y Days		1 Day	70	6.6

3

4 **6.1 Board Recall Petition.**
5 This section details the procedures to be followed in case of a Recall Petition. It covers who may submit
6 a Petition, how to submit a Petition to the ccNSO as a Decisional Participant, and how the ccNSO intends
7 to accept or reject such petition. All references to "notices" and "notification" in this section need to be
8 in writing, either as formal correspondence or email.
9
10   **6.1.1 Who may submit a Board Recall Petition to the ccNSO Council?**
11   The ccNSO will consider Board Recall Petition from:
12   - ccTLD Managers,
13   - individual(s) directly related to a ccTLD manager,
14   - ccNSO working groups or committees mandated to submit such a petition,
15   - Regional ccTLD organisations (as defined in section 10.5 of the ICANN Bylaws),
16   - the ccNSO Council.
17
18   **6.1.2 Requirements Board Recall Petition**
19   The ccNSO Council will only consider for acceptance a **Board Recall Petition** if the petition:
20   • Is in writing

Commented [BB26]: Acording to section 3.1 (a) the ccNSO may develop procedure re the NOMCOM Board meber removal process. Question: may the ccNSO limit who could submit a petiton ot the ccNSO i.e set limits / requirements around" individual"?
" Subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant seeking to remove a (NOMCOM)Director"..

- Includes the affiliation of the person submitting the Petition and how the petitioner or affiliation is affected
- Include a rationale setting forth the reasons why the recall of the Board is sought
- Contains sufficient detail to verify facts; if verifiable facts are asserted
- Supplies supporting evidence if available/applicable
- Includes references to applicable by-laws and/or procedures if the assertion is that a specific by-law or procedure has been breached.

Finally, the **Board Recall Petition** MUST be sent to the following email address: ccNSO-Petition@icann.org to be considered. The Chair and Vice -Chairs of the ccNSO Council, the Removal Process Manager and ccNSO secretariat are subscribed to the email address.

6.1.3 **Board Recall PETITIONED Decisional Participant** The ccNSO is considerd to be the **Board Recall PETITIONED Decisional Participant** once the ccNSO has received a **Board Recall Petition**

6.2 Board Recall Petition Period.
In accordance with ICANN Bylaws Annex D section 3.1 (b) the **Board Recall Petition Period** shall start on the date that the ccNSO Council has received the **Board Recall Petition,** hereafter the ccNSO **Director Removal Petition Date.** The **Board Recall Petition Period** shall end 21 days after the start of this period. at 11.59 Pacific Time[8]

6.2.1 Verification Board Recall Petition-
Within two business days following receipt of the **Board Recall Petition**, the **Removal Process Manager** together with the Chair and Vice-Chairs shall determine and advise Council whether all elements as listed in section 4.1.2 are included in the Petition.

If the **Removal Process Manager** together with the Chair and Vice-Chairs of the ccNSO unanimously determine that either:
1. the submitted documentation does not include one or more element(s) listed in section 4.1.2, or
2. the Board Recall Petition cannot be submitted solely on the basis of a matter decided by a Community IRP if (i) such Community IRP was initiated in connection with the Board's implementation of GAC Consensus Advice and (ii) the EC did not prevail in such Community IRP
3. Does NOT include a rationale setting forth the reasons why the recall of the Board is sought
the Petition is deemed to be rejected by the ccNSO Council. The **Removal Process Manager**, shall inform the petitioner and the ccNSO Council accordingly.

6.2.2 Actions by the Removal Process Manager, once a Board Recall Petition Period has started
Within two business days of the start the **ccNSO Director Removal Petition Period**, the **Removal Process Manager** shall:
i.   Inform the ccNSO Council of receipt of a Removal Petition
ii. Inform the ccNSO Membership of receipt of a Removal Petition

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[8] Pacific time is UTC – 7 or UTC - 8, depending on daylight savings regime.

Comments:

Commented [BB27]: See Annex D section 3.3 (a).

Commented [MOU28]: Check with ICANN Legal: what about snail-mail? What if send to ICANN Org head-office?

Commented [BB29]: See Annex D section 3.3 (a)

Commented [BB30]: See Annex D section 3.3 (a). This is not about the substnace of the rationale, but just the requirement to include a rationale.

iii. Instruct the secretariat to open the Board Removal section on the relvant web-page and in the wikispace.

iv. <mark>Inform the other Decional Particpants of petion receiver, and possible NOMCOM Director Removal Support Period, the period during which other Decisional Particpant need to decide, whether to support, reject or abstain from the **NOMCOM Director Removal Petition**.</mark>

v. Propose dates for the ccNSO Council meeting where the ccNSO Council shall accept or reject the petition, which shall be no later than one day before the end of the Period (which will be the twentieth (20th) day of the Period.

6.2.3 Rejection or Support Board Recall Petition.
During the **Board Recall Petition Period,** the ccNSO Council shall decide to accept or reject the **Board Recall Petition.** The ccNSO Council shall meet either in person or via tele-conference, no later than one day before the end of **Board Recall Petition Period** (which - unless the period is extended in accordance with section 4.2.2 (iv) above - is the twentieth (20th) day) to decide whether or not to accept or reject the Petition(s).

The **Board Recall Petition** <mark>shall be deemed to be rejected</mark>, if one or more of the following conditions applies as determined at the sole discretion of the ccNSO Council:

- If one or more of the requirements of the **Board Recall Petition** is/are not met at the time of the Council meeting.
- If the ccNSO Council has not reached a decision on the **Board Recall Petition** one day before the end of the **Board Recall Petition Period** at 23.59 Pacific Time.

At its meeting, the ccNSO Council shall decide whether to support or reject the **Board Recall Petition(s).** In taking its decision, the ccNSO Council shall consider:

- the feedback, views and input received from the ccTLD community, regarding the **Board Recall Petition**(s), if any;
- Remainder of the term of the appointed Director
- Other factors deemed relevant by the ccNSO Council.

The **Board Recall Petion Notice** shall include the rationale upon which the recall of the Board is sought.

The decision to support the **Board Recall Petition** must be supported by at least 10 Councillors and at least one from each of the ICANN Geographic Regions.

6.2.4 Communicating the decision to accept or reject the Board Recall Petition.
The **Removal Process Manager** shall:
1. Promptly, within 24 hours of the decision by the ccNSO Council to support **Board Recall Petition** provide the **Board Recall Petition Notice** to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary.

The **Board Recall Petition Notice** must include:
   a. The rationale upon which the removal of the Board is sought.

Commented [BB31]: This is added to ensure that the other DPs are informed as timely as possible so they can take action/decision timely.
Note: for some DPs this may require ability to organise an extraordinary meeting at short notice, outside regular schedule.
Note that the Board Recall Petition needs additional support from at least two other DPs (see: Annex D, section 3.3 (c) (i).

b. The contact information of the **Removal Process Manager**

If the EC Administration has not received the relevant **Board Recall Petition Notice** during the **ccNSO Director Removal Petition Period**, the **NOCOM Director Removal Process** shall automatically be terminated with respect to the applicable **Board Recall Petition**

2. Inform the ccNSO membership of result of the ccNSO Council decision making procedure on the **Board Recall Petition**. The result shall be published within 24 hours after the end of the (extended) **Board Recall Petion Period.** The ccNSO shall be informed accordingly by the ccNSO Secretariat on the relevant ccNSO and ccTLD mailing lists, as well as on the ccNSO website and/or wiki.

6.3 Support other Decisional Participants for the Board Recall Petition
6.3.1 Solicitation of Support from other Decisional Participants
Immediately following the submission of the **Board Recall Petition Notice** to the Empowered Community Administration and the other Decisional Participants, the **Removal Process Manager**, shall contact the other Decisional Participants to invite them to support the **Board Recall Petition** supported by the ccNSO Council.

All correspondence between the **Removal Process Manager** and other Decisional Participants, the ICANN Secretary, and the Empowered Community Administration shall be posted on the ccNSO website/or wiki space.

6.3.2 Supported Board Recall Petition
If the ccNSO receives the support for its **Board Recall Petition(s)** from at least **two (2)** other Decisional Participant within seven (7) days after closure of the **Board Recall Petition Period**, the ccNSO initiated **Board Recall Petition** shall be known as the **Board Recall Supported Petition**. Within twenty-four (24) hours of receiving said support, the **Removal Process Manager** shall provide a written notice on behalf of the ccNSO to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary of having received the required support.

Additionally, the **Removal Process Manager** will formally submit the **Board Recall Supported Petition** to the:
- Empowered Community Administration,
- other Decisional Participants, and
- ICANN Secretary.

In accordance with Annex D Section 3.3 (c) (i) the **Board Recall Supported Petition** MUST include at a minimum the following:
- The rationale upon which the recall of the Board is sought

- Contact details for the **Removal Process Manager,** and/or contact details of the **Board Recall Supporting Decisional Particpant**

- A statement whether the ccNSO and/or **Board Recall Supporting Decisional Particpant** requests that ICANN organize a publically available conference call prior to the **Board Recall Community Forum** is requested,

Commented [BB32]: See Annex D section 3.3 (c) (i)

- A statement whether the ccNSO and the other **Board Recall Supporting Decisional Particpant** have determined to hold a **Board Recall Community Forum** during the next scheduled ICANN public meeting.

6.3.3 No Support for ccNSO Board Recall Petition

If, at the end of the seventh (7th) day after conclusion of the **Board Recall Petition Period** no other or just one other Decisional Participant has expressed its support for the ccNSO **Board Recall Petition,** the Process ends. The **Removal Process Manager** shall notify the Empowered Community Administration of the lack of support for the **Board Recall Petition**. Additionally, the **Removal Process Manager** shall inform the ccNSO Council and ccTLD community that the **Board Recall Petition** cannot go forward due to a lack of support from other Decisional Participants. The ccNSO Secretariat will publish this information to the ccNSO and ccTLD Community mailing lists, as well as post it on the ccNSO website/wiki.

6.4 Procedures with respect to Board Recall Community Forum

This section details the ccNSO procedures with respect to a **Board Recall Community Forum**. Unless explicitly determined otherwise, the **Board Recall Community Forum Period** shall start when the **Board Recall Support Period** (section 6.3 above) ends and closes after twenty-one (21) days, unless the ccNSO and the Supporting Decision Participants through the **Board Recall Supported Petition Notice** requested that he Forum will be held during the next scheduled ICANN Public meeting[9].

6.4.1 Community Forum

Following the ICANN announcement to convene a **Board Recall Community Forum**, the **Removal Process Manager** will inform the ccNSO community on the details of this Forum.
The ccNSO, via the **Removal Process Manager**, will participate in any **Board Recall Community Forum** convened by ICANN.

6.4.2 ccNSO community input

The **Removal Process Manager** will request the ccTLD community to provide input and/or feedback on the Supported Petition(s) to inform the **Board Recall Community Forum**. The manner in which the input and feed-back will be requested from the community and then provided to the ECA will be determined by the ccNSO Council prior to requesting the ccNSO community to provide their feed-back and input. The ccNSO Council is advised to discuss how the ccNSO community should provide input and feed-back at its meeting to decide to support a **Board Recall Petition** (section 6.3 above) or request to support Board Recall Petion already supported by other DP (section 7 below).

6.5 Alternative 1: Final Decision Board Recall Supported Petition
6.5.1 Council meeting
Following the ICANN announcement to convene a **Board Recall Community Forum**, the Chair of the ccNSO Council shall schedule a Council meeting for final decision making on the **Board Recall Supported Petition(s).**

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[9] ICANN Bylaws, Annex D, section 3.3 (d) (ii)

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This ccNSO Council meeting should be scheduled by (no later than) the eleventh (11th) day of the **Board Recall Supported Petition Decision Period**, which directly follows the Community Forum Period.

6.5.2 The ccNSO Decision

No later than on the eleventh (11th) day at 23.59 UTC of the Decision Period, the ccNSO Council must have decided whether to:

- Support the **Board Recall Supported Petition** (and thereby support the removal of the Board),

- Object to the **Board Recall Supported Petition**, or

- Abstain from the matter. Abstention will not count as support or objection to a **Board Recall Supported Petition**.

In taking its decision, the ccNSO Council shall consider:

- the feed-back, views and input received from the ccNSO Community regarding the **Board Recall Supported Petition**;

- the importance of the matter for the ccNSO Community and other factors deemed relevant by the ccNSO Council.

The ccNSO Council decision to support the **Board Recall Supported Petition** has to be taken with a super-majority of 14 votes and one from each of the Geographic Regions.

The ccNSO Council decision to reject the **Board Recall Supported Petition** has to be taken by a simple majority of the votes cast rejecting the Petition at a quorate ccNSO Council meeting.

In all other cases the ccNSO Council is deemed to have abstained[10].

This ccNSO Council decision to support or reject a **Board Recall Supported Petition** is subject to Rules of the ccNSO. The ccNSO Council decision shall be published on the ccNSO website/wiki directly following the meeting and the ccNSO community shall be informed about the decision by the **Removal Process Manager**.

If the ccNSO Council decision is not effective by the 20th day at 23.59 Pacific Time of the **Board Recall Supported Petition Decision Period** (as defined in the ICANN Bylaws), the ccNSO is deemed to have abstained from the matter.

Commented [BB35]: Bote the difference

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[10] To make this work the first question has to be who supports the Petitions, if threshold is not met, second question needs to be who rejects the petitions, if none of these positions meet the required thresholds, the ccNSO is deemed to have abstained. The kind of ccNSO decision - support, reject or abstain - is relevant to determine the overall level of support for a NOMCOm Director Removal Supported Petition, see Annex D section Section 3.1(g).

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6.5 Alternative 2: Board Removal Decision

6.5.1 Definition Board Recall Decision Period. The **Board Recall Decision Period** shall start at the end of the expiration of the **Board Recall Community Forum Period** and close on the twenty-first 21st day at 23.59 Pacific Time after the expiry of this period.

6.5.2 Decisions During the Board Recall Decision Period. During the **Board Removal Decision Period,** the ccNSO shall decide whether or not the ccNSO supports the **Board Removal Supported Petition**.
In taking its decision, the ccNSO Council shall consider:
- the feed-back, views and input received:

  o The Petitioner, if any
  o the ccNSO and broader ccTLD Community, if any
  o during the **Board Removal Community Forum**
  o From the Board, if any
- Other factors deemed relevant by the ccNSO Council.

The ccNSO Council decision whether to support or reject the **Board Recall Supported Petition** has to be taken ultimately at the eleventh (11th) day at noon (12.00) UTC into the **Board Recall Decision Period.**

The ccNSO Council decision shall be published on the ccNSO Website immediately following the closure of the meeting and shall include an explanation of its decision.

The Rules of the ccNSO do NOT apply to any of the decisions of the ccNSO Council during the **Board Recall Decision Period**.

6.5.2.1. Supermajority ccNSO Council Decision to support the Board Recall Supported Petition. The ccNSO Council decision to support the **Board Recall Supported Petition** must be taken with a supermajority of 14 or more Councillors and at least one from each of the ICANN Geographic Regions.

The Decision becomes effective on the 20th day of the **ccNSO Director Removal Decision Period** at 23.59, UTC. **UNLESS** by the 20th day into the **Board Recall Decision Period** at least 34 % of the ccNSO Members indicated not to support the decision of the ccNSO Council. The Rules of the ccNSO do NOT apply to this decision of the ccNSO Council.

> **Commented [MOU36]:** If 34 % of the membership does not support the petion it measn that there is no supermajoriyt amongst the members. Assuming that 66 % of the mebership is considered a supermajority.

6.5.2.2 ccNSO Decision to reject the Board Recall Supported Petition

If the ccNSO Council does not support the **Board Recall Supported Petition (i.e., there is no supermajority to support the Petition),** the Decision shall become effective on the 20th day of the **Board Recall Decision Period** at 23.59 UTC **UNLESS** by the 20th day into the **ccNSO Director Removal Decision Period** at least 67 % of the ccNSO Members indicate to support the **Board Recall Supported Petition.**

> **Commented [MOU37]:** This is a supermajority of more then 2/3 of the membership who support the petition

6.5.2.3 No ccNSO Decision or too late

If the ccNSO Council has not decided by the 11th day at noon (12.00) UTC into the **ccNSO Director Removal Decision Period,** the ccNSO Council shall be deemed not to support the **ccNSO Board Removal Petition.** The **Removal Process Manager** shall inform the community accordingly by the 11th day at 23.59 UTC. If by the 20th day into **ccNSO Director Removal Decision Period** at least 67% of the ccNSO Members indicate to support the **ccNSO Director Removal Petition,** the **ccNSO Director Removal Petition** is deemed to be supported.

> **Commented [MOU38]:** Thsi need to be discussed with the members ! Priciple decision. Possibly: run a webinar explain this and then circualte draft for comments.

6.6 Board Recall Notice

As soon as the ccNSO Council's decision has become effective, and prior to 21st day, 23:59 Pacific Time (the local time of the LA office of ICANN) the **Removal Process Manager** MUST have conveyed a notice to the Empowered Community Administration and the ICANN Secretary whether the ccNSO supports, rejects or abstains from the **Board Recall Supported Petition**. This notice shall be published on the relevant ccNSO and ccTLD mailing lists, as well as the ccNSO website/wiki.

In the event that the ccNSO Council has been deemed to have abstained (i.e. has not taken a timely decision according to section), the **Removal Process Manager** shall inform the Empowered Community Administration and the ICANN Secretary accordingly within the timeline mentioned in this section. This notification shall be published on the relevant ccNSO and ccTLD mailing lists, as well as on the ccNSO website/wiki.

7. ccNSO Procedures to support other Decional Participants Board Removal Petitions

In section 7.1 the preparatory actions are described i. e those actions of the ccNSO which are taken prior to the formal request from another Decisional Particpant to support ther Removal or Recall petions

The ccNSO decisions whether to support the removal or recall petion from other Decisional Participants are described in section 7.2.

The follow-up actions, if any, are described in section 7.3 and 7.4.

7.1 Actions prior to the ccNSO Nominating Committee Director Removal Petition Support Period or **ccNSO Board Recall Petition Support Period.**
The **ccNSO Nominating Committee Director Removal Petition Support Period** or **ccNSO Board Recall Petition Support Period** is defined as the period beginning upon the expiration of the **NOMCOM Director Petion Period or Board Recall Petition Period** as defined in Annex D of the ICANN Bylaws) and ending at 11:59 p.m. Pacific Time Zone (the local time of the ICANN Office in LA, California, USA).

7.1.1 Alert ccNSO Council and ccNSO membership. Alternative A. As soon as the **Removal Process Manager** is aware that another Decisional Participant has received a NOMCOM Director Removal Petition or Board Recall Petition(s), she or he will notice the Council and ccNSO Membership of the launch of such a process and take all actions necessary to allow decision-making by the ccNSO. In the notification the Removal Porcess Manager, will tentatively include a suggested date for a Council meeting for decision to suppor-making by the ccNSO Council and other information deemed relevant.

7.1.1 Alert ccNSO Council and ccNSO membership. Alternative B. As soon as the **Removal Process Manager** has been informed by another Decional Participant that his Decisional Particpant has received and is considering a Board Removal Petion or NOMCOM Director Petitionis,the Removal Process Manager shall notice the Council and ccNSO Membership of the launch of such a process and take all actions necessary to allow decision-making by the ccNSO. In the notification the Removal Porcess Manager, will tentatively include a suggested date for a Council meeting for decision to suppor-making by the ccNSO Council and other information deemed relevant.

If the ccNSO through the **Removal Process Manager** has not received such a notification from the Decisonal Particpant that has received the Removal or Recall Pettion by the 11th day into **NOMCOM Director Petion Period or Board Recall Petition Period** as defined in Annex D of the ICANN Bylaws, the ccNSO shall be deemed to reject the **DP's NOMCOM Director Rem**oval or **DP's Board Recall Petition**.

The relevant Decision Particpant may request the ccNSO Council to accept the alert notification (i.e waive the need to inform the Removal Porcess Manager timely) if under the circumstances of the case it would be unreasonable to maintain this deadline.

7.2 ccNSO Decision to Support DP's NOMCOM Director Removal Petition or DP's Board Recall Petition
The **DP's NOMCOM Director Removal Petition** or **DP's Board Recall Petition** is defined as the **NOMCOM Director Removal Petition** or **Board Recall Petition** that is submitted to the ccNSO by another Decisional Particpant to seek support **from the ccNSO.**

Immediately following the submission of the **NOMCOM Director Removal Petition Notice** or **Board Recall Petition Notice** by another Decisional Participants, the **Removal Process Manager** shall request the ccNSO Council to formally to decide whether to support the DP's **NOMCOM Director Removal Petition** or **DP's Board Recall Petition**. This Decision has to be taken by the 6th day at 23.59 UTC into the **ccNSO Nominating Committee Director Removal Petition Support Period** or **ccNSO Board Recall Petition Support Period.**

The **DP's NOMCOM Director Rem**oval or **DP's Board Recall Petition** <mark>shall be deemed to be rejected</mark>, if one or more of the following conditions applies as determined at the sole discretion of the ccNSO Council:
- If, according to the ccNSO Council, one or more of the requirements of the **NOMCOM Director Removal Petion** or **Board Recall Petition** is/are not met at the start of the **ccNSO** N**ominating Committee Director Removal Petition Support Period** or **ccNSO Board Recall Petition Support Period** (see section 4.2 or 6.2 above).
- If the alert notification from the Decisonal Partic[pant that has received the the Board R`ecall Petion or NOMCOM Director R`emoval Petiotion is not received or received too late (section 7. 1 above) and this requirement is not waved by the ccNSO Council.
- If the decision has not been taken by the 6th day at <mark>23.59 Pacirifc Time Zone,</mark> the ccNSO is deemed to have rejected the DP's **NOMCOM Director Removal Petition** or **DP's Board Recall Petition.**

> **Commented [BB39]:** Note thsi would allow the ccNSO COuncil to convene at 23.59 UTC and take a decision before 23.59 PST.

At its meeting, the ccNSO Council shall decide whether to support or reject the **DP's NOMCOM Director Removal Petition(s)** or **DP's Board Recall Petition(s).** In taking its decision, the ccNSO Council shall consider:
- the feedback, views and input received from the ccTLD community, regarding the **DP's NOMCOM Director Removal** or **DP's Board Recall Petition(s)**, if any;
- Remainder of the term of the appointed Director, if relevant
- Other factors deemed relevant by the ccNSO Council.

The decision to support the **DP's NOMCOM Director Removal** or **DP's Board Recall Petition**(s) MUST be supported by at least 10 Councillors and at least one from each of the ICANN Geographic Regions. This decision is NOT subject to the Rules of the ccNSO.

If the ccNSO Council decides to support the **DP's NOMCOM Director Removal Petition** or **DP's Board Recall Petition,** it also has to decide upon**:**
- The rationale upon which the removal of the NOMCOM Director or recall of the Board is sought

- A statement whether the ccNSO requests that ICANN organize a publically available conference call prior to the **Board Recall Community Forum** is requested,

- A statement whether the ccNSO and prefers to hold a **NOMCOM Director Removal Community Forum** or **Board Recall Community Forum** during the <mark>next scheduled ICANN public meeting.</mark>

> **Commented [BB40]:** What does this imply in times of virtual meetings

7.3 Within twenty-four (24) hours of the ccNSO Council decision to support or reject a **DP's NOMCOM Director Removal** or **DP's Board Recall Petition**(s), the **Removal Process Manager** shall provide a written notice on behalf of the ccNSO to the Empowered Community Administration, the other Decisional Participants, and the ICANN Secretary whether the ccNSO support the **DP's NOMCOM Director Removal** or **DP's Board Recall Petition**(s).

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This notification MUST include at a minimum the following:

- The supporting rationale upon which the NOMCOM Diretor removal or recall of the Board is sought

- Contact details for the **Removal Process Manager,** who shall as act the liaison with respect to the supported petition. t he other Deciosnal Paricpants and and/or contact details of the **Board Recall Supporting Decisional Particpant**

- A statement whether the ccNSO requests that ICANN organize a publically available conference call prior to the **NOMCOM Diretor Removal** or **Board Recall Community Forum,**

- A statement whether the ccNSO determines to hold a **Board Recall Community Forum** during the next scheduled ICANN public meeting.

> **Commented [BB41]:** What does this imply in times of virtual meetings

7.4 Once a DP NOMCOM Director Removal Petion or Board Recall Petion has become a **NOMCOM Director Removal Supported Petition** or **Board Recall Supported Petition,** sections 4.4, 4.5 and 4.6 and 6.4, 6.5 and 6.6 apply accordingly.

8. Miscellaneous

8.1 ccNSO Internal Guideline
This Guideline is an internal Operational Procedure of the ccNSO per Article 10 section 3.11 and Article 10, section 4.2 of the ICANN Bylaws.

8.2 Omission in or Unreasonable Impact of the Guideline
In the event the Guideline does not provide guidance and/or the impact is unreasonable to conduct the business of the ccNSO or the ccNSO Council, the Chair of the ccNSO Council will decide.

> **Commented [MD42]:** Maybe add here 'except to the extent the applicable bylaws rtequire otherwise' or something like that.

8.3 Publication and Review of the Guideline
To become effective the Guideline must be published on the ccNSO Wensite after adoption by the ccNSO Council.

The Guideline will be adjusted when considered necessary. 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 adjust the version number and insert the date the Guideline was reviewed and adopted by the ccNSO Council

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Observations:

1. Guideline needs to be checked by ICANN legal, due to impact
2. Dependency on ICANN services, i.e. third party services in general, This is an issue given the deadlines and their consequences: What if a deadline is missed due to technical problems?

3. Question: The Bylaws are construed around the ICANN in-person meetings. How does the virtuality of meeting impact the Bylaw set dates: example under this Guideline (and Annex D of the Bylaws) Section 5.3.2: 5.3.2 ccNSO Director Removal Action Community Forum Period. Unless the ccNSO Council has requested the forum to be held in conjunction with an ICANN meeting,
See also Annex D, Section 3.2.(d) (ii): *the SO/AC Director Removal Community Forum be held during the next scheduled ICANN public meeting, in which case the SO/AC Director Removal Community Forum shall be held during the next scheduled ICANN public meeting on the date and at the time determined by ICANN*

Final Decision by the ccNSO on Removal Petition
Need to strike a balance decision making by the Council and role of the Members. Note that due to timelines and a limited number of members who can ask for a vote, the Rules can not apply. See also Footnote and Section 10.3 (k) of the Bylaws.