

Guideline: ccNSO Nominations to Specific Review Teams

Version 0.2

Date of adoption by the ccNSO Council:

1 Introduction and Background

According to [Article 4](#), section 4.6 of the Bylaws as adopted on 27 May 2016, Review teams will be established for each applicable review, which will include both a limited number of members and an open number of observers. The chairs of the Supporting Organizations and Advisory Committees participating in the applicable review shall select a group of up to 21 review team members from among the nominees by the Supporting Organizations and Advisory Committees, balanced for diversity and skill.

Specific guidance on the selection process will be provided within the operating standards developed for the conduct of reviews under Section 4.6 (the “Operating Standards”). However, the Operating Standards must be aligned with basic ~~guidelinesstandards~~ included in [Section 4.6 \(a\)](#). Based on these standards the ccNSO Council has developed a nomination process and instructions for its Chair.

Commented [BB1]: Unclear if lookst at complete section 4.6 or is limited in scope

2 Purpose of the Guideline

The purpose of this guideline is to document processes and procedures pertaining to the role and responsibilities of the ccNSO, in particular the ccNSO Council and the Chair of the ccNSO with respect to the nomination and selection of members from the ccNSO on the Specific Reviews listed in the ICANN Bylaws:

- Accountability and Transparency Review (~~SectionArticle~~ 4.6.b),
- Security, Stability, and Resiliency Review (~~SectionArticle~~ 4.6.c),
- Competition, Consumer Trust and Consumer Choice Review (~~SectionArticle~~ 4.6.d) and
- Registration Directory Service Review (~~SectionArticle~~ 4.6.e).

3 General Information

3.1 Eligibility of ccNSO Appointed Members

Membership of the Specific Review Teams shall be open to individuals from all ccTLDs, independent of membership of the ccNSO.

3.2 Requirements

As the requirements for nominees will vary across the different reviews, nominees should meet any applicable criteria for service on a specific review team as these will be defined in the announcement to initiate a specific review.

3.3 Conflict of Interest of Members

By accepting their nomination if selected, potential ccNSO appointed members of agree that if selected they shall disclose to ICANN and their applicable review team any conflicts of interest with a specific matter or issue under review in accordance with the most recent ICANN ~~of~~ Board of Directors approved practices and Operating Standards. The applicable review team may exclude from the discussion of a specific complaint or issue any member deemed by the majority of review team members to have a conflict of interest. Further details on the conflict of interest practices are included in the Operating Standards.

4 Nomination and Selection Process

4.1 Initiation of Nomination process

After the ICANN Board of Directors has caused a specific review (Accountability and Transparency Review, Section 4.6 (b) (i), SSR Review (-Section 4.6 (c) (i), CCT Review (Section 4.6 (d) (ii) or Directory Service Review (Section 4.6 (e) (ii) the ccNSO Council ~~shall~~ shall decide whether or not the ccNSO will participate in the applicable review.

4.2 Call for Volunteers/Expression of Interest

If decided the ccNSO Council has decided to participate in the review, the ccNSO Council will (instruct the Secretariat to) prepare a call for volunteers, including a description of the required skills, and after adoption by Council, the Secretariat will publish the call ~~send the call for~~ within two business days following the instruction by the ccNSO Council. The call for volunteers/ Expression of Interest will be sent to the ccNSO members and other relevant ccTLD community email lists. Regional ccTLD Organisations will be requested to distribute the call for Expression of Interest on their email lists.

Commented [BB2]: Comment Dejan: Maybe we should add here few words about how ccNSO getting feedback from it's member during the work of RT.

Commented [BF3]: Should we add "and to the ccNSO Council"? Or, are we ok that such information will be transmitted by ICANN to the ccNSO Council?

Commented [BB4]: It is my understanding the obligation to disclose conflict of interest is to ensure that appointed members are excluded from specific conversation, which may cause some issues. This is in principle an internal RT matter. However I think it is sound practice to alert applicants of this specific obligation. By including it already in the Guideline.

Commented [BB5]: Comment Dejan: I think it's useful to mention here that if ccNSO decide not to participate, community member is free to apply as an independent expert for RT membership.

Commented [BF6]: Needs clarity

This call for Expression of Interest shall include all relevant information and the closing date, which shall be not earlier than two weeks after the call for Expression of Interest has been issued at 23.59 UTC.

The template for the call for Expression of Interest is included as Annex A (to be updated).

4.3 Information Received from Candidates

The first working day after closure of the call for volunteers/Expression of Interest, the Secretariat will send the information received from the interested community members to the individual Councillors eligible to nominate candidates and also to the non-conflicted representatives from the Regional Organisations.

If Councillors eligible to nominate are of the view that one or more candidates do not meet the Selection Criteria, the candidate(s) will be informed accordingly and their response/Expressions of Interest will not be considered.

The names of the candidates will be listed on the ccNSO website after conclusion of the nomination process. Responses on call for volunteers/Expressions of interest received after the closing date will not be ~~considered valid~~.

4.4 Nomination Procedure

4.4.1 Councillors eligible to select candidates

If a Councillor intends to become a member of a Specific Review Team, then this Councillor shall not be involved in the nomination and selection process due to a direct conflict of interest. A Councillor may also declare a conflict of interest at any stage for other reasons, for example, a Councillor and nominee may be working for the same ccTLD manager. After such a declaration this Councillor ceases to be involved in the appointment process.

4.4.2 Selection Criteria

Specific Review members will be selected on how well they meet the required set of skills and experience, if any, for each of the Specific Reviews, caused by the ICANN Board of Directors.

4.4.3 ~~Nomination~~Selection of Candidates

4.4.3.1- ~~Nomination~~ Nomination with limited pool of candidates

If one (1), two (2) or three (3) candidates put their name forward, the nomination will be confirmed by a Council decision of the Councillors eligible to vote, either by email or at a phone call. This decision shall be taken no later than one week after the

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closure of the call for volunteers. The confirmation of the nomination should be based on and be guided by the requirements included in the call for membership for the specific ~~R~~review ~~T~~eam caused by the ICANN Board of Directors.

4.4.3 .2- Nomination with 4 or more candidates

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If four (4) or more candidates apply, each of the Councillors eligible to vote will compile **a list of their preferred candidates up to a maximum of 7 candidates.** In compiling their list of preference, Councillors should base their preference and be guided by the required skills and experience included in the relevant call for membership caused by the ICANN ~~N~~ Board of Directors. In compiling the list the most preferred candidate will receive 7 points, the second 6 etc.

Each of the voting Councillors will send her/his list of preferred candidates to the Secretariat (email address ccnsossecretariat@icann.org, or other email address agreed by the ccNSO Council), within 5 working days after receiving the list of candidates. Note that the Chair and Vice-Chairs of the ccNSO also receive the emails sent to the Secretariat's email.

Based on the individual Councillor rankings, the Secretariat will prepare the overall ranking of all candidates and report the ranking to the ccNSO Council one business day after closure date of the ranking by the individual Councillors.

If, after compiling the list, the number of members can be nominated, the nomination process is closed.

4.4.4 Second Round of Nomination (if required)

If, after compiling the list, two or more of the candidates rank equally and as a result it is not possible to identify the three(3) most preferred nominees, there will be a run-off ranking for those candidates, with a defined closing date.

4.4.5 Reporting on the ccNSO Selection Process

Within two business days after closure of the nomination procedure, the Secretariat will report the results of the nomination to the ccNSO Council. The ccNSO Council will then formally decide whether to adopt the report (by email). The Chair of the ccNSO will inform the relevant Secretary about the ccNSO Council selection.

After adoption of the report by the ccNSO Council, it shall be published on the ccNSO website.

4.5.5 Selection of ccNSO appointed members

If the ccNSO is eligible to fill only three (3) slots on the membership slate, Only the first three (3) nominees as nominated through the procedure described in section 4 of this Guideline, will be entitled to be selected as members to the relevant review team (Section 4.6. a (i) (A)), so long as they meet any applicable criteria for service on the relevant team.

If not all participating Supporting Organization or Advisory Committee have nominated at least three (3) prospective review team members, the Chairs of the Supporting Organizations and Advisory Committees shall be responsible for the determination of whether all 21 SO/AC member seats shall be filled and, if so, how the seats should be allocated from among those nominated. In the case one or more of those seats will be allocated to the ccNSO, the Chair of the ccNSO will suggest to the Chairs of other participating SO/ACs that ccNSO nominees should be selected in order of preference.

5.6 Removal of ccNSO Appointed Members

Any review team member nominated by the ccNSO Council may be removed and replaced at any time by the ccNSO Council and by applying, a candidate agrees to be bound by this provision~~accepts this~~. The ccNSO Council will notify the review team member of reason(s) for deselection. The ccNSO Council and the affected Member will discuss whether the ccNSO Council will publish the reason(s) for the action. In all cases, the ccNSO Council's decision will be final.

The chair of a review team may request the removal of the review team member nominated by the ccNSO Council. However in the event the chair of a review team requests removal of a CSC member selected and appointed by the ccNSO Council, the following consultation mechanism will apply:

- Any concerns regarding the behaviour or non-attendance of a ccNSO appointed Member should firstly be raised with that Member.
- If the issue is not satisfactorily resolved, a formal complaint should be raised with the Chair of the ccNSO, who will attempt to mediate a resolution.
- If that is not possible, or if the complaint is sufficiently serious in nature, the Chair of the ccNSO is empowered to temporarily restrict the participation of the Member with a view to resolve the issues. However, if in the view of the chair the continued participation of the Member would not be appropriate and/or would seriously disrupt the review team from conducting its business, the Chair of the ccNSO shall raise the issue with the Vice-Chairs of the ccNSO Council or their designate(s), who will review the matter and then

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Commented [BB7]: Comment David: The language in Section 4.6.(a)(i) seems less than precise. I think I read it the way Katrina does. I am implying from this language that the ccNSO has the right to appoint three members and the right to nominate additional members if the chairs need a pool to draw from if other SOs/ACs do not nominate enough.

Commented [KS8]: That's not how I understood the text in the Bylaws. As far as I understand, we may select up to 7 candidates. If we select up to 3, then ALL of them will become members as long as they meet the criteria. If we nominate more than 3, then the SO/AC chairs will select 3 or more. Or we can say which 3 should be selected if we appoint more? To me it looks the same as the pool of liaisons of the CSC. How can ccNSO/GNSO Councils ensure the diversity of the CSC if each SO/AC appoints only 1 liaison?

Commented [BB9]: If the SO/AC chair would appoint why bother to introduce nomination by Council? They should check whether criteria are met and limit potential pool to 7 people.
If that is direction of travel we need to change 4.4.5.2

Commented [KS10]: Where does the right come from? Can't find it in the Bylaws

Commented [BB11]: Comment David: I tend to agree, not sure what gives rise to this. I expect the Operating Standards developed for each review will address this - it is an important concept.

Commented [BB12]: It is not in the Bylaws, nor is such a right in the Bylaws for the ccNSO Council (removing a member for no-show for example) However one could argue that by putting name forward through ccNSO process, one implicitly accepts the guideline and hence that one could be removed from the RT.

decide. The ccNSO Council, Chair of the review team, Member and Secretary shall be informed accordingly.

67 Vacancy

For purposes of this Guideline, a vacancy on a review team shall be deemed to exist in the event of the death, resignation or removal of a ccNSO Council appointed member or the unwillingness or inability of that representative to further serve thereon. This vacancy shall be filled by the ccNSO Council using the selection procedure as described above in this Guideline and shall be for the duration of the term of the member who is replaced.

The Chair of the ccNSO Council shall notify [to be filled in if at all] of such a temporary replacement. Such a notification should include the expected date of appointment of the replacement to fill the vacancy.

The Chair of the ccNSO Council shall provide written notice to [whomever is deemed to receive notice] , with a notification copy to the Chair of the review team, following the ccNSO Council's appointment to fill the vacancy.

78 Miscellaneous

7.18.1 ccNSO Internal Guideline

This Guideline is an internal rule of the ccNSO in accordance with Article 10 section 3.(k) and Article 10 section 4. of the ICANN Bylaws. This Guideline should also be considered as the internal procedure of the ccNSO to nominate members for specific review teams, as mentioned in Article 4.6 of the ICANN bylaws adopted 27 May 2016.

7.28.2 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, the ccNSO Council, or the review team, the Chair of the ccNSO will decide.

7.38.3 Publication and Review of the Guideline

The Guideline will be published as part of the rules and guidelines of the ccNSO after adoption by the ccNSO Council.

The Guideline will be always reviewed after review of the relevant sections in the ICANN bylaws or change of the Operating Standards, or adjusted when considered necessary. In order to become effective the updated Guideline must be adopted by

Commented [KS13]: Well... I think this is not that simple. If this was the member who was selected as one of the THREE ccNSO appointees, we can perhaps (!!!) follow this procedure. But if that was the member who was selected on top of those three, I do not think the ccNSO should have a say on how to select the replacement.

Commented [BB14]: Comment David: I agree with Katrina unless we treat the top three ccNSO nominees as "appointed" by ccNSO and treat 4 through 7 as nominated by ccNSO but appointed by SO/AC chairs.

Commented [BB15]: I do not understand this

Commented [KS16]: If we notify about the temporary replacement (as in the first sentence) why should we inform about the date. Maybe initially we should inform about the vacancy and then can promise to fill it in by a certain date?

Commented [BB17]: The decision to sack someone, could also include call for volunteers (which I would say is good practice in his case). If so , then uexpect new appointment 6 weeks after decision to remove someone

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.

[89](#) Annex A - Call for Expression of Interest

Expression of Interest