

Motion – Confirmation of process and criteria for selection of GNSO representative to the Empowered Community Administration

WHEREAS,

1. As stated in Section 1.1(a) of Article 6 of the new ICANN Bylaws, concerning the composition and organization of the Empowered Community (EC), "The Empowered Community ("EC") shall be a nonprofit association formed under the laws of the State of California consisting of the ASO, the ccNSO, the GNSO, the ALAC and the GAC (each a "Decisional Participant" or "associate," and collectively, the "Decisional Participants")."
2. The sole purpose of the EC is to exercise its rights and perform its obligations under ICANN's Articles of Incorporation and the ICANN Bylaws, and the EC shall have no other powers or rights except as expressly provided in the ICANN Bylaws. The EC may only act as provided in these Bylaws. Any act of the EC that is not in accordance with these Bylaws shall not be effective.
3. As outlined in section 6.3 of the new ICANN Bylaws, the GNSO, as a Decisional Participant, shall act through its respective chair or such other person as may be designated by the GNSO (collectively, such persons from all communities are the "EC Administration"). Each Decisional Participant shall deliver annually a written certification from its chair or co-chairs to the ICANN Secretary designating the individual who shall represent the Decisional Participant on the EC Administration.
4. The GNSO Council confirmed in September 2016 that the GNSO Chair (currently James Bladel) will represent the GNSO as the Decisional Participant on the Empowered Community Administration on an interim basis and subsequently requested the GNSO Standing Selection Committee (SSC) to 'develop the criteria and the process for the selection of the GNSO Representative to the Empowered Community for GNSO Council consideration by its June 2017 meeting'.
5. As part of its deliberations, the SSC obtained further information on the role and time commitment expected for the GNSO representative of the EC Admin and submitted its unanimous recommendations to the GNSO Council on [date].
6. The GNSO Council has reviewed this recommendation,

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RESOLVED,

1. The GNSO Council hereby confirms that one member of the GNSO leadership team (GNSO Chair and Council Vice-Chairs) will be tasked to serve as the GNSO Representative to the Empowered Community Administration. This confirmation will be according to the following steps:
 - a) GNSO Chair election takes place at ICANN Annual Meeting
 - b) Noting that the Vice-Chair cannot be from the same Stakeholder Group as the Chair, Vice-Chairs may be confirmed prior to the Chair Election only if there is a single Chair candidate or all Chair candidates are from the SG. Otherwise, confirmation of Vice-Chairs may happen after the Chair election.
 - c) GNSO Chair is confirmed by the GNSO Council upon election as the interim representative to the EC Admin, until such time as the GNSO leadership team has had an opportunity to meet and decide who is taking on this role. In case the GNSO Council fails to select a Chair, the existing representative to the EC Admin will remain in that role until such time as a Chair has been elected.
 - d) As soon as possible upon confirmation of the GNSO leadership team, the GNSO leadership team will meet to decide who is to be designated as GNSO Representative to the EC Admin. Following

this determination, this decision is to be confirmed by the GNSO Council as part of the consent agenda. The decision on the designation of the permanent representative to the EC Admin is then communicated to the ICANN Secretary and EC Admin.

- e) Should at any point during the term of the Chair and/or Vice-Chairs there be a change (for example, a resignation or a change in circumstances which may mean the representative is no longer able to perform in this role), the leadership team will communicate this to the GNSO Council as soon as possible together with the name of the individual on the leadership team who will take on this role so that a new designation can be made.
 - f) As part of the designation, it will be made clear that in case of absence or conflict, another member of the leadership team may step in to substitute for the representative on the EC Admin.
2. The GNSO Council confirms that this process will take effect immediately and requests the current GNSO Leadership Team discuss and agree at the latest in time for the next GNSO Council meeting who will serve as the GNSO representative to the EC Admin. Until that time, the GNSO Chair will continue to serve as the interim representative to the EC Admin.
 3. The GNSO Council requests that this process is included in the GNSO Operating Procedures at the next opportunity for revision.
 4. The GNSO Council thanks the SSC for its work and recommendations.

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