

ICANN Board Seat 12, ccNSO Nomination Report

4 December 2017

Background

As ICANN Board Seat 12 becomes vacant at the end of the ICANN Annual General meeting in 2018, a call for nominees to fill the seat was conducted. The timeline of the launch of the nomination period was defined following the [ccNSO Rules and Guidelines](#) and was approved by the ccNSO Council on 24 August 2017. The timeline took into account the following factors:

- the possible need for a run-off vote;
- the fact that ccNSO members have the possibility to ask direct question to the candidate(s) at the ccNSO members meeting in Abu Dhabi (ICANN60);
- and the the practical need that a new board member is invited to attend the Board Workshop in May of the year in which the candiates is expected to fill the seat.

Joke Braeken was appointed Election Manager at the [ccNSO Council Telephone Conference on 24 August 2017](#).

Launch of the Nomination Period

In accordance with the approved timeline, the nomination period was launched on 20 September 2017 (00:01 UTC). The [call for nominations](#) was posted on the ccNSO website on 19 September 2017, and shared on the same day with the ccnsso-members@icann.org and ccnsocouncil@icann.org mailing lists.

Close of the Nomination Period

In accordance with the approved timeline, the [nomination period closed](#) on 11 October 2017 at 23:59 UTC.

Nomination Results

- On 20 September 2017, Nigel Roberts was nominated by Pablo Rodriguez (.pr). The nomination was seconded on 20 September 2017 by Souleymane Oumtanaga (.ci) and on 21 September by Peter Vergote (.be)
- On 27 September 2017, Pierre Ouedraogo was nominated by Abdalla Omari (.ke). The nomination was seconded on 3 October 2017 by Alex Corenthin (.sn)
- On 11 October 2017, Katrina Sataki was nominated by Svitlana Tkachenko (.ua). This nomination was not seconded.

The nomination archives can be found at: <http://forum.icann.org/lists/ccnsso-boardnominations>

Nomination Irregularities

No irregularities occurred.

Nomination Acceptance and next steps

Pierre Ouedraogo accepted the nomination on 15 October 2017.
Nigel Roberts accepted the nomination on 12 October 2017.

In accordance to the applicable rules, two candidates were nominated, seconded and have accepted their nomination. Consequently, an election needed to be held according to the timeline previously agreed upon by the ccNSO Council.

Launch of the Elections

A formal [Election Notice](#) was published on the ccNSO website on 14 November 2017, and shared on 15 November 2017 with the ccnsso-members@icann.org and ccnsocouncil@icann.org mailing lists. The Election Notice contained, among others, the following information:

- The names of the Candidates
- Information on how the election will be conducted
- Election opening and closing dates.

In accordance with the approved timeline, the election opened on 16 September 2017 (00:01 UTC). The ballots were sent by the e-mail address tally@icann.org, to the e-mail address of the primary contact of each ccNSO Member, as listed in the ccNSO Members database.

Close of the Elections

In accordance with the approved timeline, the election closed on 30 November 2017 (23:59 UTC).

Election irregularities

The election closed on 30 November 2017 (23:59 UTC). According to the approved timeline, the results were to be announced by the Nomination Manager on 4 December 2017. However, since the results of the members vote on the candidates to the ICANN Board of Directors were circulating already on Friday 1 December 2017, the chair to the ccNSO council consulted with the Nomination Manager, and sent an e-mail to the community on 1 December 2017, to ensure that everybody is aware of the results of the members' vote and the next steps.

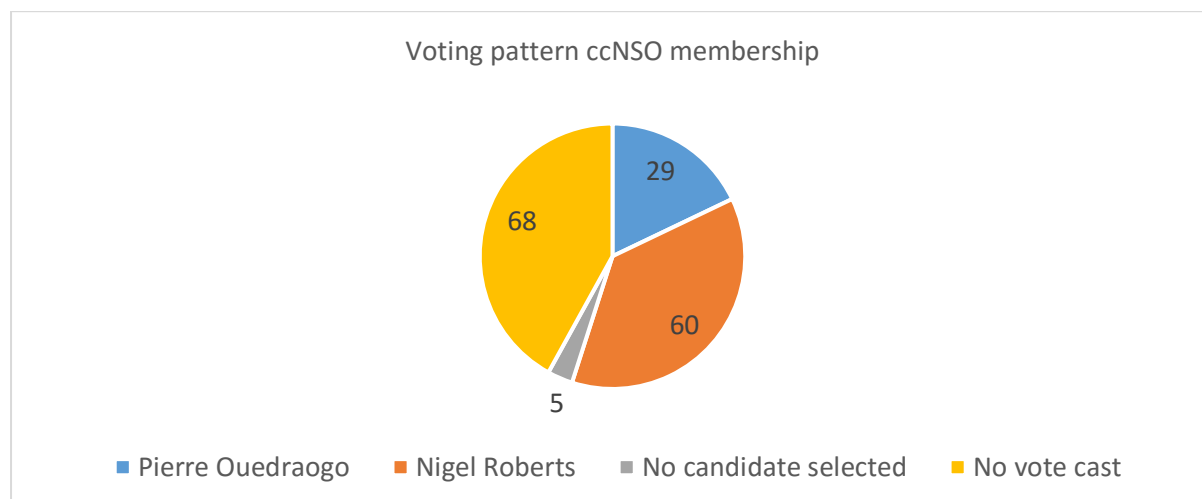
Election Results

Out of 162 members of the ccNSO, 94 members (58%) casted their votes:

Pierre Ouedraogo received 29 votes,

Nigel Roberts received 60 votes, and

5 members voted without selecting any of the candidates.

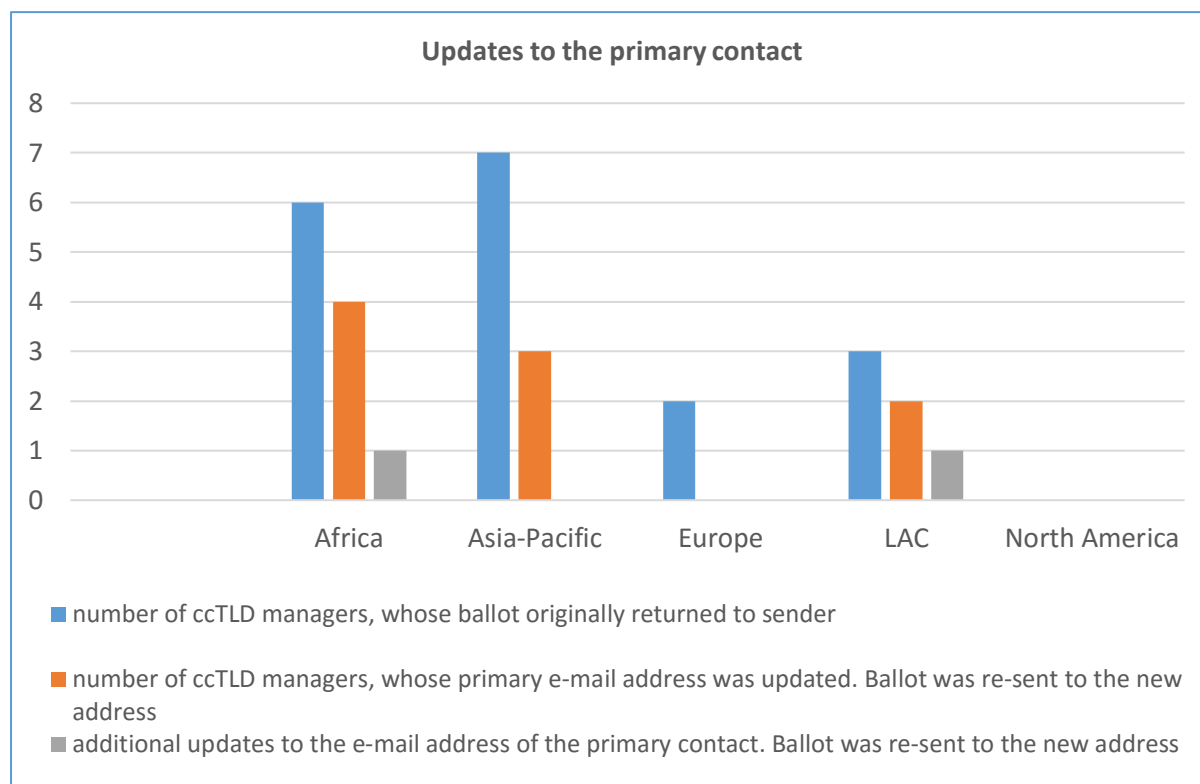


Issues & Observations

Observation 1

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

For 18 ccNSO members, the ballot could not be delivered to the e-mail address of the primary contact. The Nomination Manager reached out to the IANA admin-c contacts for those ccTLDs. Between the launch of the elections and the close on 30 November (23:59 UTC), the primary e-mail addresses for 10 ccTLDs were updated, and the ballots were re-sent to the updated primary e-mail address.



Issue 1

The [guideline](#) says:

3.4 Call for Candidates

[...] Nomination of, and seconding of a candidate, is limited to ccTLDs who are ccNSO members as of the date the call for nominations is published. [...]

However, there is no specific reference to when a ccTLD Manager should be a ccNSO member, in order to be able to *vote* in case of elections.

Advice:

The council is advised to request the Guideline Review Committee to review the [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#), and to add relevant wording specifying by when a ccTLD Manager should be a ccNSO Member in order to be able to vote in case of elections. The wording should take into account - and preferably be in analogy with - the revised Guideline: Election Council Members.

Issue 2

The call for nominations did not include the additional requirements for Board members, as specified in Article [7.4 of the ICANN Bylaws](#) : the call for nominations only specifically mentioned those included in Article [7.2 of the ICANN Bylaws](#).

Advice:

The council is advised to request the Guideline Review Committee to review the [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#), and to include specific reference to sections 7.4 (a-d) , with the additional criteria for ICANN Board members. The guideline currently only includes a very general reference to article 7: “When calling for nominations of a candidate, the Nominations Manager will remind all concerned of the requirement for suitably qualified candidates, in particular the relevant sections in Article 7 of the ICANN Bylaws.”

In light of the increased need for transparency and documented procedures, and the recent mishap with the NomCom appointment, it is advised that:

- the Council has these additional criteria included in the relevant ccNSO guideline
- and include in the relevant guideline that a statement is required from the candidates, whether the situations from 7.4 apply

Issue 3

The call for nominations did not specify how to deal with candidates with dual citizenship.

Advice:

The council is advised to request the Guideline Review Committee to review the [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#), and to specify how to deal with candidates with dual citizenship, in a manner as prescribed in the ICANN Bylaws.

Issue 4

The [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#) currently still contains some placeholders, namely

- 3.1.2 Initiation of Board Seat Nomination process in case of vacancies (Article 7, Section 7.12(a))
- 3.1.3 Initiation of Board Seat Nomination Process when all Directors are recalled (Article 7, Section 7.12(b))

Advice:

The council is advised to request the Guideline Review Committee to review the [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#), and to replace the placeholders.

Issue 5

The guideline currently does not include reference to a due diligence integrity screening process for the directors (seat 11 & 12). See ICANN Board resolution from 2 November 2017 (<https://www.icann.org/resources/board-material/resolutions-2017-11-02-en#2.c>) regarding the screening of Directors to the Board.

Advice:

The council is advised to request the Guideline Review Committee to review the [Guideline: ccNSO Nominations Process ICANN Board Seats 11 and 12](#), and to include the process for the due diligence integrity screening process for the directors (seat 11 & 12).

Conclusion

- This Nomination Report, prepared by the Nomination Manager, will be discussed at the ccNSO [Council meeting on 7 December](#).
- The ccNSO Council formally needs to nominate the candidate ([Section 10.3 \(i\) of the ICANN Bylaws](#)).

The ccNSO has entered into voluntary internal arrangement that the ccNSO members shall propose and elect candidates for the ICANN Board seats 11 and 12. The Candidate that receives the majority of the votes cast (note that there is no quorum rule) by the ccNSO members, shall be the Candidate who is elected to be nominated by a majority vote of the ccNSO Council.

- The designation as Nominee by the Empowered Community in accordance with [ICANN Bylaws section 7.2 \(1 October 2016\)](#) becomes effective after the ccNSO Council decision becomes effective, according to [Rules of the ccNSO](#).