

## A PROCESS FOR THE ELECTION OF THE FIRST COUNCIL OF THE CCNSO

Status: Draft.

For consideration by the ccNSO.

**Background:** The ccNSO Launching Group is charged by the Bylaws with conducting the election of the first council of the SO. To investigate likely issues arising in the setting up of an election, Glen de St Gery was invited to share her experience gained from her involvement in a number of elections for the council of the D/GNSO, and of board members by the D/GNSO. Glen's presentation to the member's meeting at Carthage, which include some details of her background, may be seen at (<http://ccnso.icann.org/annoucements/announcement-28oct03.shtml>).

The question of voting method was considered by the LG prior to the Carthage meeting. Nigel Roberts and Olivier Guillard presented information at Carthage on possible election method designs. Olivier Guillard's presentation may be seen at (<http://ccnso.icann.org/annoucements/announcement-28oct03.shtml>).

The LG is grateful to Glen, Nigel and Olivier for their assistance.

### **Overview.**

A timeline providing key steps in the conduct of the election is proposed. Its starting date is the date of the Call for nominations

Definitions of some key terms are provided for adoption.

There are two dates of political and practical significance:

- (1) the date of closing nominations for councillors, and
- (2) the date of closing the electorate of voters.

The general principle is that as much time as is practicable be built in to these steps to allow for as many ccTLD managers to join the SO, and take part in either nominations or election of the council.

It is suggested these dates be explicitly included in the Call for Nominations, which is the first public announcement in the process itself.

Decisions required of the LG are indicated and numbered for convenience. Where options are available these are indicated, with a proposal and reasons. Taken sequentially, these decisions will provide a structured format for the LG to approve an election package.

The definitions and the process may also be helpful in establishing a basis for the future elections of the Council.

### **Decision 1. Appointment of an Election Manager**

Most of the steps involved in the election process are required to be carried out by a skilled neutral entity in which the electorate has trust. The process itself is spread over approximately 14 weeks requiring someone who is available for that period. Glen de St Gery is a candidate for Election Manager , and others may be identified.

#### **Proposal 1. That the LG appoints Glen de St Gery as Election Manager.**

Reasons 1. Glen has the experience mentioned above, is available in the time required, and is trusted, or likely to be trusted by the ccTLD community. While there are others in the ccTLD community with experience and the necessary skills, there is a risk they might be associated with potential candidates in the election. While there are others similarly qualified outside the ccTLD community, the time taken to set up and carry out an appointment process is not seen as justified by any additional likely benefit.

### **Decision 2. Technical Support.**

A website needs to be provided. On this will be posted the Election Procedure, notice of all steps (calls for nominees, posting results ), nominations, biographies and campaign presentations of candidates. Email list servers will also be required.

#### **Proposal 2 That the existing ccNSO website be used for the election, using dedicated pages, with technical services provided by Kent Crispin.**

Reasons 2. Kent is familiar with on-line elections, has worked with Glen, and with the ccNSO website.

### **Decision 3. Appointment of Election Supervisors.**

The EM needs to report to someone, and will occasionally need guidance or confirmation of a step in the process. Inevitably, situations will occur for which no written procedure will have been provided, requiring the exercise of

judgement, and commonsense. The exercise of such discretion ought not to invalidate the election.

Scrutineers of the actual voting process are also required, and the ESs can perform this role.

The LG itself is not suitable, as members of the LG are likely to be candidates in the election. Some members of the LG are not members of the SO but, because they are ccTLD managers this might be seen as significant.

A panel of 3 selected from trusted members of the ccTLD community not associated with the election, and disinterested in the outcome would be acceptable. Candidates such as former officers of the ccTLD constituency and the board would provide knowledgeable but neutral persons. .

**Proposal 3. A group of 3 people familiar to the ccTLD community and trusted by them be empanelled as volunteer Election supervisors.**

**Decision 4. Language of the election.**

There are actually 5 separate elections, conducted in the regions to find 3 councillors per region. The rules, nomination forms, voting forms and results could be translated into different languages, or English could be specified as the language of the election.

**Proposal 4. That English be specified as the official language in which the formalities of the election will be conducted.**

Reasons 4. Translation into different languages would be a time-consuming and costly exercise, and may result in confusion if translations introduce error or uncertainty.

English is the standard language within ICANN, and in particular, of the debate surrounding the formation of the ccNSO.

However, this decision relates to the formalities, and would not preclude a candidate from posting a campaign statement in a language of their own choosing. If the proposal below concerning endorsements is accepted, endorsements may also be posted in languages other than English.

**Decision 5. Defining the candidates.**

Candidates have to be nominated by members, but need not themselves be members. Candidates should be allowed to accept nomination in only one region, to prevent being elected in 2 (or more). Subject to any ICANN bylaws, candidates might be required to be resident in, or citizens of the region in which they stand for election or there could be no citizenship or residency requirement thus allowing, for example, a member in the African region could nominate someone as a councillor for that region even though the nominee is American and resides in America.

**Proposal 5. Candidates must be resident in the region in which they stand for election.**

Reasons 5. Geo-diversity is a key principle of ICANN, supported by ccTLDs. Candidates will be known by where they reside, particularly to those voting in those regions. Citizenship is likely to be less well known, or unknown, and candidates may have plural citizenship in some jurisdictions but not others.

**Decision 6. Defining the nomination process.**

6.1 The “nomination period” is the period specified in the Call for Nominations , to be specified in the form set out in Annex 1.

6.2 A “nomination” is made when a member sends to the email address specified in the Call for Nominations for the member’s region, within the nomination period, a completed nomination form of the sort to be provided in Annex 2.

6.3 A “candidate” is a person who, having been nominated, and being resident in the region by which they are nominated, sends within the nomination period an Acceptance in the form to be specified in Annex 3 to the email address specified in the Call for Nominations.

6.4 A “Call for Nominations” shall be made by the Election Manager within the time prescribed by the Election Schedule (defined below), and shall be posted on the ccNSO website in pages dedicated to the Election and clearly and searchably described as such, and posted by email to all members of the ccNSO at the time of posting.

6.5 The Nominating Electorate is the list of members of the SO at the date designated in the Call for nominations.

6.6 Nominations require seconding. It is suggested that a seconder be included in the nomination form, so that a person is nominated and seconded on the same form to reduce overhead.

### **Decision 7. Candidate endorsements.**

Some elections have required that candidates pass a “threshold” test, demonstrated by showing minimum support by the electorate before being included in a ballot. This is specified as receiving a number of “endorsements” or written indications of support from identified members of the electorate.

### **Proposal 7 While provision should be made for receiving and posting candidate endorsements to the website, no number of endorsements should be set as required to qualify any candidate.**

Reasons 7 Candidates are likely to be well known in the regions by which they are nominated. Significant issues of “face” of cultural significance may be raised by the requirement of public endorsement.

### **Decision 8 Defining the Voting Process.**

8.1 The voting electorate is the members of the SO at the date specified for the issuing of ballots. A list of the voting electorate shall be published on the SO website, along with notice that the list is closed for the election.

8.2 Ballots for the election shall be in the form to be specified in Annex 4.

8.3 The Election Manager shall send ballots to each member of the voting electorate.

8.4 Ballots shall be counted and processed according to the Election method, as defined below.

### **Decision 9 Defining the Voting method.**

Methods which have been discussed by members include the Single Transferable Vote and the Approval methods. Details of the Approval method are set out at (<http://ccnso.icann.org/annoucements/announcement-28oct03.shtml>).

### **Proposal 9. That voting be conducted according to the Approval method.**

Reasons 9. The Approval method is the simplest method, which meets the various essential criteria:

- (a) that no voter should ever have a strategic incentive to vote for a less favoured candidate over their favourite;
- (b) a majority should have a way of voting that ensures the majority favourite wins;

Under the Approval method voters simply mark the number of candidates they favour, and the winners are the 3 with the most votes. This avoids problems inherent in the STV system, and is particularly easy to explain to voters.

Pursuant to the bylaws elections for the 3 positions are for staggered terms, to allow for replacement of one third of the council per year. So, in the election, the person gaining the most votes serves a 3-year term, the next most popular candidate a two-year term and the third highest polling candidate, a one-year term.

### **Decision 10 Election Time line.**

#### **Proposal 10**

- 1 March: Notice by LG to Board of meeting qualifying conditions for SO formation.
- 3 March: LG discusses Election procedure at Rome meeting.
- 7 March: LG publishes draft Election Procedure for public comment.
- 31 March: Public comment period closes.
- 14 April: LG publishes Election Procedure.
- 21 April: Call for Nominations issued by Election Manager.
- 12 May: Nominations electorate closed.
- 19 May: Nomination period closed, campaign period opens.
- 9 June: Voting electorate closed.
- 16 June: Campaign period closed.  
Ballots issued to members of voting electorate.
- 23 June: Voting closes.

- 30 June: Results announced. Councillors declared elected.  
If any ties, run off elections announced ( voting only).
- 7 July: Additional Election period closed.
- 10 July: Run-off results announced- Councillor(s) declared elected.
- 10 July: Council names formally sent to ICANN board.
- 18 July: First Council meeting, Kuala Lumpur.

This timeline assumes, but does not refer to decisions to appoint the Election Manager, the Election Supervisors, the election method, and creation of the appropriate websites, software and templates. It is suggested that the LG should be attending to those matters in the period up to April 14, and preferably, by March 31.

#### Annex 1

This is the Call for Nominations.

It needs to set out the date for closing of nominations, and date for closing the voting electorate.

It needs to set out who may nominate, and who may be nominated.

It needs to point to the website where nominations templates can be obtained, nominations and statements will be posted, where the election rules are etc.

#### Annex 2

This is the nomination template

It could include:

The name, email address, ccTLD and region of the nominator;

The name, email address ccTLD and region of the seconder; and

The name email address and country of the nominee.

#### Annex 3.

This is the template for accepting nomination.

It could include:

The name, email and snail mail address of the nominee

The ccTLD and the region in which the nominee resides

The statement " I accept nomination for election to the council of the ccNSO".

A CV about the Nominee ( 500 words)

A campaign or election statement of ideas, intent, reasons to serve etc (500 words).

#### Annex 4

This is the Ballot paper, which needs to be designed to fit with the software used to conduct the ballot. It needs to include the obvious – the name and affiliation of the voter, a list of candidates, and instructions on how to complete the ballot, a reference to where additional explanations by way of assistance might be found, what to do about a spoiled ballot, and the deadline for entering the ballot.