

ccNSO Guideline: Board Recall

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1. Introduction and Background

According to the ICANN Bylaws, the ccNSO, in its capacity as a member of the Empowered Community, has the right to seek the removal of all Board Directors (other than the President), and to initiate a Board Recall Process as set out in Section 3.3 of Annex D of the ICANN Bylaws.

There are two paths for this process:

1. The ccNSO initiates the process (Sections 4 to 8)
2. Other Decisional Participant initiates the process (Sections 9 to 11)

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 all Board Directors (other than the President). For purposes of this Guideline, the ccNSO consists of the ccNSO Council and ccNSO Membership¹, 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.

3.2. Appointment of the Removal Process Manager

The ccNSO Council will appoint a ccNSO Councillor to serve as the Removal Process Manager and another Councillor as the Alternate Removal Process Manager. To ensure continuity of process(es), the Alternate shall step in and take over the role and

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 they require a membership 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 of 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

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 Empowered Community Administration, the ccTLD Community and the ICANN 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.
- Provide prompt and accurate accounts of actions and decisions relating to the Removal Process 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 Process described in this Guideline.
- Act as point of contact for the ccNSO and ccTLD Community concerning the procedures detailed in this Guideline.
- Attend conference call(s) before a Removal Community Forum.
- Attend the Removal Community Forum and prepare a summary to be shared with the ccNSO members and the Council via the ccNSO mailing list.

3.4. Communication

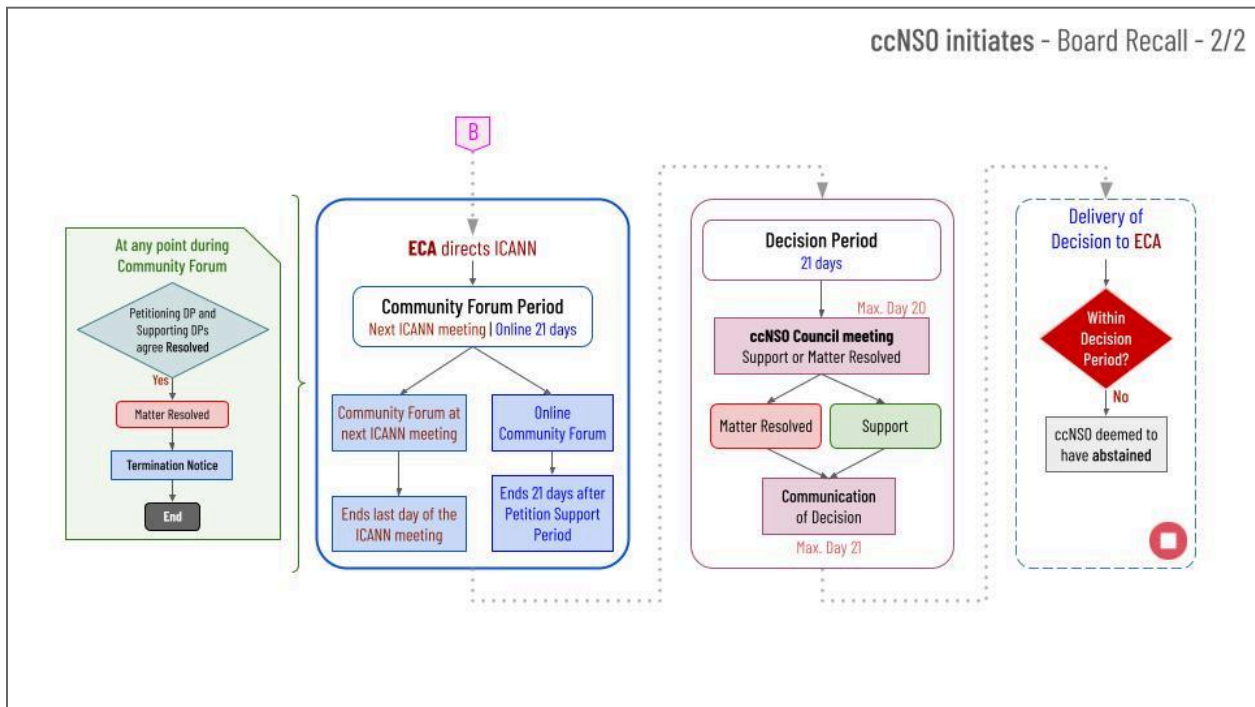
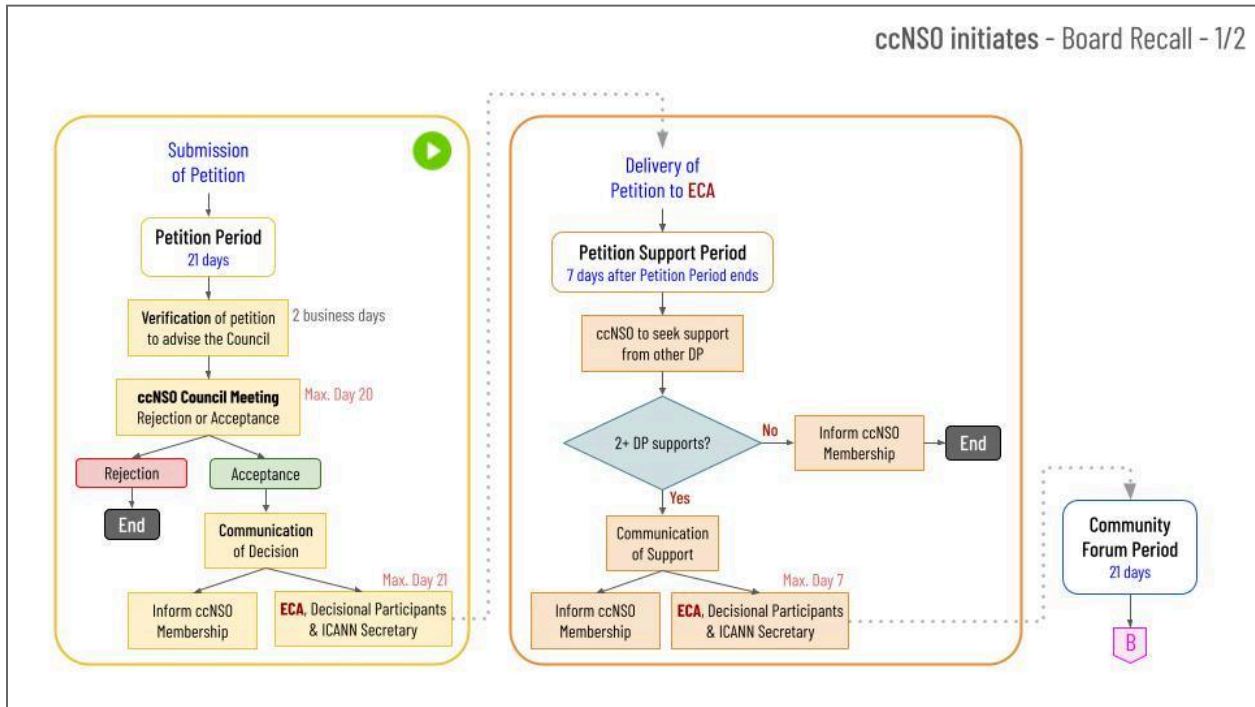
The method of communication between the Removal Process Manager and the ccTLD Community, other Decisional Participants, the Empowered Community Administration and ICANN, including but not limited to ICANN's Corporate Secretary, is email.

All ccNSO information and communication concerning a Removal Process under this Guideline will be archived. A link to the Archive will be published on the ccNSO website. 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.

The ccNSO initiates the process

4. Diagrams - ccNSO initiates the process



5. Board Recall Petition Period

5.1. Duration

Per ICANN Bylaws Annex D, Section 3.3(b), the Board Recall Period begins on the date, ending at 23:59 (local time at ICANN's principal office), the ccNSO Council receives the **Board Recall Petition** at the designated email address (the "**Board Recall Petition Date**"). The ccNSO becomes the **Board Recall Petitioned Decisional Participant**.

The designated email address is: ccNSO-Petitions@icann.org. The Chair and Vice-Chairs of the ccNSO Council, the Removal Process Manager and the ccNSO Secretariat are subscribed to the email address.

The **Board Recall Petition Period** shall end twenty-one (21) days after the start of this period, at 23:59 (local time at ICANN's principal office).

Removal Process Manager actions:

- Inform the ccNSO Council of receipt of a Board Recall Petition
- Inform the ccNSO Membership of receipt of a Board Recall Petition
- Instruct the secretariat to open the Board Recall section on the relevant webpage and in the wikispace.

5.2. Verification of Petition

Within two (2) 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 below are met in the Petition.

5.2.1. Requirements for the Petition

- The document has been sent to the designated email address 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.
- The Board Recall Petition has not been 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 (as defined in Section 3.3(a) of Annex D of the Bylaws)

Removal Process Manager actions:

- Shall inform the Council whether the Board Recall Petition meets all

requirements.

5.3. ccNSO Council meeting to accept or reject the Petition

The ccNSO Council shall meet either in person or via teleconference, before the end of the Board Recall Petition Period, to decide whether or not to accept or reject the Petition(s).

5.3.1. Administrative grounds for rejecting the Petition

A Board Recall Petition shall not be valid and therefore be rejected on administrative grounds if:

- One or more of the requirements of the Board Recall Petition are not met at the time of the Council meeting, or
- The Board Recall Petition has been submitted solely on the basis of a matter decided by a Community IRP (as defined in Section 3.3(a) of Annex D of the Bylaws)

5.3.2. Considerations for the ccNSO Council to accept or reject the Petition

- The feedback, views and input received from the ccTLD community, regarding the Board Recall Petition, if any;
- Other factors deemed relevant by the ccNSO Council.

5.3.3. Requirements for acceptance of the Petition

The decision to accept the Board Recall Petition must be supported by at least ten (10) Councillors and at least one (1) from each of the ICANN Geographic Regions.

The Council must decide whether to request the ECA to hold a Community Forum at the first upcoming ICANN meeting (Section 3.3(d) Annex D of the ICANN Bylaws). The ccNSO Council is advised to discuss how the ccTLD community could provide input and feedback during the Community Forum.

The decisions shall be published immediately on the ccNSO website following the conclusion of the Council meeting.

These ccNSO Council decisions are not subject to the Rules of the ccNSO and are effective upon publication.

5.4. Communications after Council consideration

5.4.1. Notification to Empowered Community Administration and Others

The Chair of the ccNSO Council shall promptly, and in any event within twenty-four (24) hours following the ccNSO Council's decision to accept the Board Recall Petition,

provide the **Board Recall Petition Notice** to:

- The Empowered Community Administration,
- The rest of the Decisional Participants, and
- The ICANN Secretary.

The ccNSO is considered to be the **Board Recall Petitioning Decisional Participant**.



If the Empowered Community Administration does not receive the Board Recall Petition Notice within the Board Recall Petition Period, the Board Recall Process shall automatically terminate with respect to the relevant petition.

5.4.1.1. Content of the Petition Notice

In accordance with the ICANN Bylaws, the Board Recall Petition Notice must include the following:

- A supporting rationale, stated in reasonable detail;
- The contact information of the Removal Process Manager;
- A statement from the ccNSO Council indicating whether the ccNSO requests that ICANN organize a publicly available conference call prior to the Nominating Committee Director Removal Community Forum; and
- A statement indicating whether the ccNSO expresses its preference to hold the Nominating Committee Director Removal Community Forum during the next scheduled ICANN public meeting.

5.4.2. Notification to the ccNSO Membership

The result of the ccNSO Council's decision-making process on the Board Recall Petition shall be communicated to the ccNSO Membership. This communication shall be published within twenty-four (24) hours after the conclusion of the Board Recall Petition Period. The ccNSO Secretariat shall ensure dissemination of this information via:

- the relevant ccNSO and ccTLD community mailing lists, and
- the ccNSO website and/or wiki.

6. Board Recall Petition Support Period

6.1. Duration

The **Board Recall Petition Support Period** begins upon the expiration of the Board Recall Petition Period and ends at 23:59 (local time at ICANN's principal office) on the 7th day after the expiration of the Board Recall Petition Period.

6.2. Seeking support for the Petition

Pursuant to Section 3.3(c) of Annex D, the ccNSO Chair shall contact the EC Administration and the other Decisional Participants to determine whether any other Decisional Participants support the Board Recall Petition and their preference to hold the Board Recall Community Forum during the next scheduled ICANN public meeting.



If the ccNSO is unable to obtain the support of at least two (2) other Decisional Participants for its Board Recall Petition during the Board Recall Petition Support Period, the Board Recall Process shall be automatically terminated.

6.3. Communications

6.3.1. Notification to Empowered Community Administration and Others

If the ccNSO obtains support of at least two (2) other Decisional Participant, the Chair of the ccNSO Council shall promptly, and in any event within twenty-four (24) hours following the receipt of support of at least two (2) **Board Recall Supporting Decisional Participant**, provide the **Board Recall Supported Petition** to:

- The Empowered Community Administration,
- The rest of the Decisional Participants, and
- The ICANN Secretary.

6.3.1.1. Content of the Board Recall Petition Notice

In accordance with the ICANN Bylaws, the Board Recall Petition Notice must include the following:

- A supporting rationale, stated in reasonable detail;
- The contact information of the Removal Process Manager;
- A statement from the ccNSO Council indicating whether the ccNSO and/or Board Recall Supporting Decisional Participant requests that ICANN organize a publicly available conference call prior to the Board Recall Community Forum; and
- A statement indicating whether the ccNSO and the Board Recall Supporting Decisional Participant have determined to hold the Board Recall Community Forum during the next scheduled ICANN public meeting.

6.3.2. Notification to the ccNSO Membership

The result of the ccNSO Council's decision-making process on the Board Recall Petition shall be communicated to the ccNSO Membership. This communication shall be published within twenty-four (24) hours after the conclusion of the Board Recall Petition Support Period. The ccNSO Secretariat shall ensure dissemination of this information via:

- the relevant ccNSO and ccTLD community mailing lists, and
- the ccNSO website and/or wiki.

7. Board Recall Community Forum Period

7.1. Purpose of the Forum

The **Board Recall Community Forum** is one of the Community Forums convened by ICANN at the direction of the Empowered Community Administration (ECA).

It serves as the venue where the Decisional Participants and interested parties may discuss the Board Recall Petition Notice.

The EC Administration shall manage and moderate the Board Recall Community Forum fairly and neutrally; provided that no individual from the Board Recall Petitioning Decisional Participant or a Board Recall Supporting Decisional Participant, nor the individual who initiated the Board Recall Petition, shall be permitted to participate in the management or moderation of the Board Recall Community Forum.

7.2. Duration

7.2.1. Default Duration

Unless it has been requested that the forum be held during an ICANN public meeting, the **Board Recall Community Forum Period** shall begin immediately after the Board Recall Petition Support Period ends. It shall continue until 23:59 (local time at ICANN's principal office) on the twenty-first (21st) day following the end of the Board Recall Petition Support Period.

7.2.2. ICANN Public Meeting Exception

If it has been requested that the forum be held during the next scheduled ICANN public meeting, and if that meeting takes place after 23:59 (local time at ICANN's principal office) on the twenty-first (21st) day following the Board Recall Petition Period's expiration, then:

- The Forum shall be held on the date and time determined by ICANN during the public meeting, and
- The **Board Recall Community Forum Period** shall expire at 23:59 local time on the official last day of such ICANN public meeting, in the city where the meeting is held.

7.3. Informing the Community

Once ICANN announces the convening of the Board Recall Community Forum:

Removal Process Manager actions:

- Shall notify the ccTLD community of the forum's details.

7.3.1. Community Feedback

Removal Process Manager actions:

- Will invite the ccTLD community to provide input or feedback on the forum discussions

Community feedback shall be channelled through the ccNSO Council to the Empowered Community Administration.

The ccNSO Council will determine how to convey the feedback to the ECA. For example, the Council may issue a formal ccNSO Statement following the applicable procedure.

7.3.2. Summary of Forum Proceedings

Removal Process Manager actions:

- Shall prepare a summary of the Board Recall Community Forum proceedings and share it with the ccNSO members and the Council via the ccNSO mailing list as soon as possible.

8. Board Recall Decision Period

8.1. Duration

The **Board Recall Decision Period** shall start immediately upon the expiration of the Board Recall Community Forum Period. It shall end on the twenty-first (21st) day thereafter, at 23:59 (local time at ICANN's principal office).

8.2. ccNSO Council meeting to support or not the Petition

The ccNSO Council shall meet, either in person or via teleconference, to decide whether to support the Board Recall Petition following the Community Forum Period.

8.2.1. Considerations for the ccNSO Council

In making its decision, the ccNSO Council shall take into account any feedback, views, and input received from the following, if applicable:

- The Petitioner;
- The feedback, views and input from the ccNSO and broader ccTLD community, as received during the Board Recall Community Forum;
- Any other factors the ccNSO Council deems relevant.

8.2.2. Requirements to support the Petition

A decision by the ccNSO Council to support the Board Recall Petition must meet the following supermajority threshold:

- Fourteen (14) Councillors, and
- Inclusion of at least one (1) Councillor from each ICANN Geographic Region, and
- Inclusion of at least one (1) NomCom-appointed Councillor.

The decision shall be published immediately on the ccNSO website following the conclusion of the Council meeting. The published decision shall include a statement of reasons explaining why the Council chose to support the Board Recall Petition.

This ccNSO Council decision is not subject to the Rules of the ccNSO and is effective upon publication.

8.2.3. Requirements to reject the Petition

If the ccNSO Council does not support the Board Recall Petition, whether due to a lack of supermajority or otherwise, the outcome shall also be published immediately on the ccNSO website following the Council meeting. The published decision shall include a statement of reasons for not supporting the Petition.

This ccNSO Council decision is not subject to the Rules of the ccNSO and is effective upon publication.

8.2.4. Failure to decide within the required timeframe



If the ccNSO Council has not made a decision by the end of the Board Recall Decision Period, it shall be deemed that the ccNSO Council abstains from the Board Recall Petition decision.

8.3. Communications after Council consideration

8.3.1. Notification to Empowered Community Administration and Others

The Chair of the ccNSO Council shall promptly, and in any event within twenty-four (24) hours following the ccNSO Council's decision to support or reject the Board Recall Petition, provide this decision in writing to:

- the Empowered Community Administration,
- the rest of the Decisional Participants, and
- the ICANN Secretary.

If the decision is to Remove All Board Directors (other than the President), the Chair of the Council shall direct ICANN to post the ccNSO explanation as to why the ccNSO has chosen to remove all Directors.

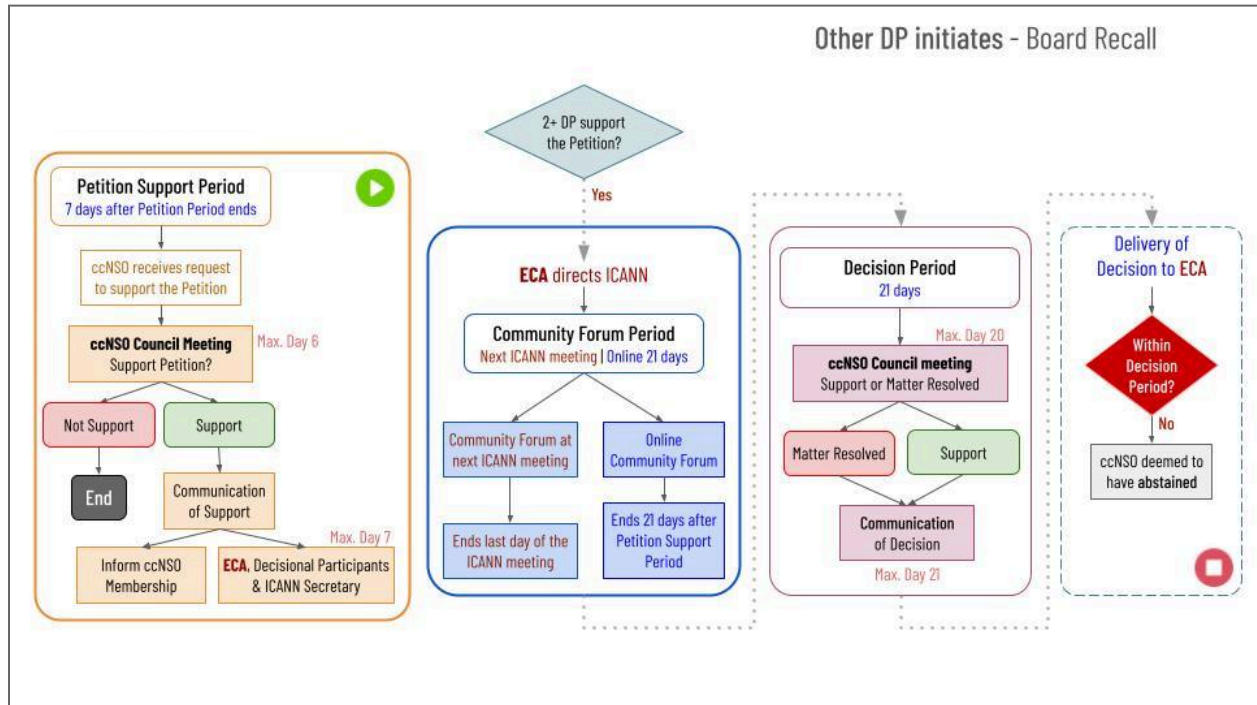
8.3.2. Notification to the ccNSO Membership

The result of the ccNSO Council's decision-making process on the Board Recall Petition shall be communicated to the ccNSO Membership. This communication shall be published within twenty-four (24) hours after the conclusion of the Nominating Committee Director Removal Decision Period. The ccNSO Secretariat shall ensure dissemination of this information via:

- the relevant ccNSO and ccTLD community mailing lists, and
- the ccNSO website and/or wiki.

Other Decisional Participant initiates the process

9. Diagrams - Other DP initiates the process



10. Board Recall Petition Support Period

10.1. Duration

The **Board Recall Petition Support Period** shall start immediately upon the expiration of the Board Recall Petition Period and ending at 23:59 (local time at ICANN's principal office) on the 7th day after the expiration of the Board Recall Petition Period.

10.2. Other Decisional Participant seeks support

Pursuant to Section 3.3(c) of Annex D, the other Decisional Participant (DP) contacts the EC Administration and the other Decisional Participants to determine whether any other Decisional Participants support the Board Recall Petition and their preference to hold the Board Recall Community Forum during the next scheduled ICANN public meeting.



If the **Petitioning Decisional Participant** is unable to obtain the support of at least two (2) other Decisional Participants for its Board Recall Petition during the Board Recall Support Period, the Board Recall Process shall be automatically terminated.

10.3. Decision to support other DP's Petition

10.3.1. ccNSO Council meeting to support or not other DP's Petition

The ccNSO Council shall meet, either in person or via teleconference, before the end of the Board Recall Petition Support Period to decide whether to support the Petition.

10.3.2. Administrative grounds for not supporting other DP's Petition

A Board Recall Petition shall not be valid and therefore be rejected on administrative grounds if:

- The Board Recall Petition has been submitted solely on the basis of a matter decided by a Community IRP (as defined in Section 3.3(a) of Annex D of the Bylaws)

10.3.3. Considerations for the ccNSO Council to support or not other DP's Petition

- The feedback, views and input received from the ccTLD community, regarding the Board Recall Petition, if any;
- Other factors deemed relevant by the ccNSO Council.

10.3.4. Requirements for supporting other DP's Petition

The decision to support other Decisional Participant's Board Recall Petition must be approved by at least ten (10) Councillors and at least one (1) from each of the ICANN Geographic Regions.

The Council must decide whether to request the ECA to hold a Community Forum at the first upcoming ICANN meeting (Section 3.1(d) of 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 decisions shall be published immediately on the ccNSO website following the conclusion of the Council meeting.

These ccNSO Council decisions are not subject to the Rules of the ccNSO and are effective upon publication.

10.3.5. Failure to decide within the required timeframe



If the ccNSO Council has not made a decision by the end of the Board Recall Petition Support Period, it shall be deemed that the ccNSO Council does not support the Board Recall Petition.

10.4. Communications after Council consideration

10.4.1. Notification to Empowered Community Administration and Others

The Chair of the ccNSO Council shall promptly, and in any event within twenty-four (24) hours following the ccNSO Council's decision to support or not the Board Recall Petition from the Board Recall Petitioning Decisional Participant, provide notice to:

- The Board Recall Petitioning Decisional Participant,
- The Empowered Community Administration, and
- The rest of the Decisional Participants

If the decision is to support, then the ccNSO is considered a **Board Recall Supporting Decisional Participant**.

10.4.2. Notification to the ccNSO Membership

The result of the ccNSO Council's decision-making process on the Board Recall Petition shall be communicated to the ccNSO Membership. This communication shall be published within twenty-four (24) hours after the conclusion of the Board Recall Support Period. The ccNSO Secretariat shall ensure the dissemination of this information via:

- the relevant ccNSO and ccTLD community mailing lists, and
- the ccNSO website and/or wiki.

11. Board Recall Community Forum Period

11.1. Purpose of the Forum

The **Board Recall Community Forum** is one of the Forums convened by ICANN at the direction of the Empowered Community Administration (ECA).

It serves as the venue where the Decisional Participants and interested parties may discuss the Board Recall Petition Notice.

The EC Administration shall manage and moderate the Board Recall Community Forum fairly and neutrally; provided that no individual from the Board Recall Petitioning Decisional Participant or a Board Recall Supporting Decisional Participant, nor the individual who initiated the Board Recall Petition, shall be permitted to participate in the management or moderation of the Board Recall Community Forum.

11.2. Duration

11.2.1. Default Duration

Unless it has been requested that the forum be held during an ICANN public meeting, the **Board Recall Community Forum Period** shall begin immediately after the Board Recall Petition Support Period ends. It shall continue until 23:59 (local time at ICANN's principal office) on the twenty-first (21st) day following the end of the Board Recall Petition Support Period.

11.2.2. ICANN Public Meeting Exception

If it has been requested that the forum be held during the next scheduled ICANN public meeting, and if that meeting takes place after 23:59 (local time at ICANN's principal office) on the twenty-first (21st) day following the Board Recall Petition Period's expiration, then:

- The Forum shall be held on the date and time determined by ICANN during the public meeting, and
- The **Board Recall Community Forum Period** shall expire at 23:59 local time on the official last day of that ICANN public meeting, in the city where the meeting is held.

11.3. Informing the Community

Once ICANN announces the convening of the Board Recall Community Forum:

Removal Process Manager actions:

- Shall notify the ccTLD community of the forum's details.

11.3.1. Community Feedback

Removal Process Manager actions:

- Will invite the ccTLD community to provide input or feedback on the forum discussions

Community feedback shall be channelled through the ccNSO Council to the Empowered Community Administration.

The ccNSO Council will determine how to convey the feedback to the ECA. For example, the Council may issue a formal ccNSO Statement following the applicable procedure.

11.3.2. Summary of Forum Proceedings

Removal Process Manager actions:

- Shall prepare a summary of the Board Recall Community Forum proceedings and share it with the ccNSO members and the Council via the ccNSO mailing list as soon as possible.

12. Board Recall Decision Period

12.1. Duration

The **Board Recall Decision Period** shall start immediately upon the expiration of the Board Recall Community Forum Period. It shall end on the twenty-first (21st) day thereafter, at 23:59 (local time at ICANN's principal office).

12.2. ccNSO Council meeting to support or not the Petition

The ccNSO Council shall meet, either in person or via teleconference, to decide whether or not to support the Board Recall Petition following the Community Forum Period.

12.2.1. Considerations for the ccNSO Council

In making its decision, the ccNSO Council shall take into account any feedback, views, and input received from the following, if applicable:

- The Petitioner;
- The feedback, views and input from the ccNSO and broader ccTLD community, as received during the Board Recall Community Forum;
- Any other factors the ccNSO Council deems relevant.

12.2.2. Requirements to support the Petition

A decision by the ccNSO Council to support the Board Recall Petition must meet the following supermajority threshold:

- Fourteen (14) Councillors, and
- Inclusion of at least one (1) Councillor from each ICANN Geographic Region, and
- Inclusion of at least one (1) NomCom-appointed Councillor.

The decision shall be published immediately on the ccNSO website following the conclusion of the Council meeting. The published decision shall include a statement of reasons explaining why the Council chose to support the Board Recall Petition.

This ccNSO Council decision is not subject to the Rules of the ccNSO and is effective upon publication.

12.2.3. Requirements to reject the Petition

If the ccNSO Council does not support the Board Recall Petition, whether due to a lack of supermajority or otherwise, the outcome shall also be published immediately on the ccNSO website following the Council meeting. The published decision shall include a statement of reasons for not supporting the Petition.

This ccNSO Council decision is not subject to the Rules of the ccNSO and is effective upon publication.

12.2.4. Failure to decide within the required timeframe



If the ccNSO Council has not made a decision by the end of the Board Recall Decision Period, it shall be deemed that the ccNSO Council abstains from the Board Recall Petition decision.

12.3. Communication of the Council Meeting Outcome

12.3.1. Notification to Empowered Community Administration and Others

The Chair of the ccNSO Council shall promptly, and in any event within twenty-four (24) hours following the ccNSO Council's decision to support or reject the Board Recall Petition, provide this decision in writing to:

- the Empowered Community Administration,
- the rest of the Decisional Participants, and
- the ICANN Secretary.

12.3.2. Notification to the ccNSO Membership

The result of the ccNSO Council's decision-making process on the Board Recall Petition shall be communicated to the ccNSO Membership. This communication shall be published within twenty-four (24) hours after the conclusion of the Board Recall Decision Period. The ccNSO Secretariat shall ensure dissemination of this information via:

- the relevant ccNSO and ccTLD community mailing lists, and
- the ccNSO website and/or wiki.

13. Miscellaneous

13.1. ccNSO Internal Guideline

This Guideline is an operating procedure of the ccNSO per Article 10 section 3.(k) of the ICANN Bylaws.

13.2. 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, to the extent the applicable Bylaws do not require otherwise.

13.3. 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 reviewed at least once every 5 years at the time of review of the annual Work plan, or adjusted when considered necessary or when deemed necessary by the ccNSO Council. A change to the Guideline is subject to the Guideline change procedure.

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

13.4. Exclusion of Templates

The Templates referenced in this Guideline are included in Annex A, but do not form part of the Guidelines itself. The review and changes to these Templates are performed by using the following procedure:

1. The Process Manager may review and suggest a change to a template at any time to Council.
2. The Council must adopt the suggested changes by a simple majority of the votes cast. The Council decision is considered an administrative decision of the Council.
3. After adoption the changed template(s) shall be published on the ccNSO website. A changed template becomes effective upon publication.

Annex A - Templates

Templates Board Recall Petition Period

Included are the templates to be used during the various process periods:

- Director removal Petition Period
- Community Forum Period
- Director Removal Comment Period
- Director Removal Decision Period

Template for Removal Process Manager to inform ccNSO Council receipt of Petition

Placeholder text

Template for Removal Process Manager to inform ccNSO Membership of receipt of Petition

Placeholder text

Template to inform membership acceptance/rejection of removal petition

Placeholder text

Needs to include resolution and rationale

Template Council Resolution to accept/reject the Nominating Committee Director removal petition

Resolution

Background

1. Per Section 3.2(a) of Annex D of the ICANN Bylaws, "Subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to the ccNSO, as an 'Applicable Decisional Participant', seeking to remove a Director who was nominated by the ccNSO in accordance with Section 7.2(a) of the Bylaws, and initiate the SO/AC Director Removal Process ('SO/AC Director Removal Petition')."
2. Per Section 3.2(b) of Annex D of the ICANN Bylaws, "During the period beginning on the date that the Applicable Decisional Participant received the SO/AC Director Removal Petition and ending at 23:00 (as calculated by local time at the location of ICANN's principal office in Los Angeles) on the date that is the 21st day after the SO/AC Director Removal Petition Date, the Applicable Decisional Participant shall either accept or reject such SO/AC Director Removal Petition pursuant to the internal procedures of the Applicable Decisional Participant for the SO/AC Director Removal Petition."
3. Per Section 3.2(b) of Annex D of the ICANN Bylaws, "The Applicable Decisional Participant shall not accept an SO/AC Director Removal Petition if, during the same term, the Director who is the subject of such SO/AC Director Removal Petition had previously been subject to an SO/AC Director Removal Petition that led to an SO/AC Director Removal Community Forum."
4. Per Section 3.2(c) of Annex D of the ICANN Bylaws, "During the SO/AC Director Removal Petition Period, the Applicable Decisional Participant shall invite the affected Director subject to the SO/AC 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 individual(s) bringing the SO/AC Director Removal Petition and the Applicable Decisional Participant's representative on the EC Administration."
5. Per Section 3.2(c) of Annex D of the ICANN Bylaws, "The SO/AC Director Removal Petition may not be accepted unless this invitation has been extended upon reasonable notice and accommodation to the affected Director's availability. If the invitation is accepted by either the Director who is the subject of the SO/AC Director Removal Petition or the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director), the Applicable Decisional Participant shall not accept the SO/AC Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the dialogue."
6. Per Section 3.2(c)(i)(A)-(D) of Annex D of the ICANN Bylaws, "Such SO/AC Director Removal Petition Notice shall include:

- a. a supporting rationale in reasonable detail;
 - b. contact information for at least one representative who has been designated by the Applicable Decisional Participant who shall act as a liaison with respect to the SO/AC Director Removal Petition Notice;
 - c. a statement as to whether or not the Applicable Decisional Participant requests that ICANN organize a publicly-available conference call prior to the SO/AC Director Removal Community Forum (as defined in Section 3.2(d) of this Annex D) for the community to discuss the SO/AC Director Removal Petition; and
 - d. a statement as to whether the Applicable Decisional Participant has determined to hold the SO/AC Director Removal Community Forum during the next scheduled ICANN public meeting.”
7. The ccNSO Council may waive the timeframes currently referenced in the ccNSO Guidelines in relation to submission of motions with regard to an SO/AC Director Removal Petition, as well as scheduling of meetings to meet its obligations under the timelines outlined in the ICANN Bylaws.
 8. All SO/AC Director Removal Petitions submitted by an individual must be submitted to the ccNSO Council.
 9. On [date], [insert Petitioner’s name] submitted an Nominating Committee Director Removal Petition to the ccNSO Council, starting the SO/AC Director Removal Petition Period, and seeking to remove [insert affected Director’s name], who holds Seat [insert affected Director’s Seat number] for the period from [insert affected Director’s term duration]. [Insert affected Director’s name], during the same term, had NOT previously been subject to an SO/AC Director Removal Petition that led to an SO/AC Director Removal Community Forum.
 10. On [insert date when the invitation to a dialogue has been extended], the ccNSO invited [insert affected Director’s name] and [insert name of the Board Chair, or the Board Vice Chair if the Chair is the affected Director] to a dialogue with [insert Petitioner’s name] submitting the Nominating Committee Director Removal Petition and [insert name of the ccNSO Representative on the EC Administration]. The dialogue took place on [insert date when the dialogue took place], with the participation of [insert all attendees’ names]. The recording and transcript of the dialogue are publicly available here [insert link].
 11. From [insert dates of ccNSO community feedback period], the ccNSO members had the opportunity to provide feedback, opinions or comments on the merits of the Nominating Committee Director Removal Petition. ccNSO support staff’s compilation of any feedback received is available here: [insert link].

Decision to accept

1. The ccNSO Council decides to accept the Nominating Committee Director Removal Petition received on [insert date], from [insert name of submitter], by a vote of **x** in favor of acceptance, **y** in favor of rejection and **z** abstentions.
2. The ccNSO Council requests that the ccNSO Secretariat (a) publish the ccNSO Council decision on the ccNSO website/wiki, (b) inform the members of the ccNSO accordingly, and (c) inform the ccNSO Representative on the EC Administration.
3. The ccNSO Council requests that the ccNSO Removal Process Manager [insert name], to be its liaison with respect to the SO/AC Director Removal Petition.
4. The ccNSO Council [requests] [does not request] that ICANN hold (a) the Nominating Committee Director Removal Community Forum during [insert ICANN meeting] to discuss the Nominating Committee Director Removal Petition, and (b) a publicly available conference call prior to the Nominating Committee Director Removal Community Forum.
5. The ccNSO Council requests the Chair of the ccNSO to provide to the EC Administration, the other Decisional Participants, and the ICANN Secretary a written SO/AC Director Removal Petition Notice of such acceptance within twenty-four (24) hours, providing all requested information per Annex D, Section 3.2(c)(i)(A)-(D) of the ICANN Bylaws.
6. This decision becomes effective upon the notice of the chair to the ECA.

Decision to reject for administrative reasons

1. The ccNSO Council decides to reject the Nominating Committee Director Removal Petition received on [insert date], from [insert name of submitter], for procedural reason:
 - a. [Select A: The Nominating Committee Director Removal Petition received did not meet one or more of the requirements of the **Nominating Committee Director Removal Petition**]
 - b. [Select B: The Nominating Committee Director who is the subject of the Removal Petition has not been invited or this invitation has not been extended upon reasonable notice and with accommodation for the affected Director's availability]
 - c. [Select C: During this term of appointment of [insert name of Board member], the ccNSO appointed Director who is the subject of the Director Removal Petition, has previously been subject to a Nominating Committee Director Removal Petition that led to an SO/AC Director Removal Community Forum]
2. The ccNSO Council requests the Chair of the ccNSO to provide to the EC Administration, the other Decisional Participants, and the ICANN Secretary a written SO/AC Director Removal Petition Notice of such acceptance within twenty-four (24)

hours, providing all requested information per Annex D, Section 3.2(c)(i)(A)-(D) of the ICANN Bylaws.

3. The ccNSO Council requests that the ccNSO Secretariat (a) publish the ccNSO Council decision on the ccNSO website/wiki, (b) inform the members of the ccNSO accordingly, and (c) inform the ccNSO Representative on the EC Administration.
4. This decision becomes effective immediately.

Decision to reject

1. The ccNSO Council decides to reject the Nominating Committee Director Removal Petition received on [insert date], from [insert name of submitter] by a vote of **x** in favor of acceptance, **y** in favor of rejection and **z** abstentions.
2. The ccNSO Council requests the Chair of the ccNSO to provide to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary a written SO/AC Director Removal Petition Notice of such acceptance within twenty-four (24) hours, providing all requested information per Annex D, Section 3.2(c)(i)(A)-(D) of the ICANN Bylaws.
3. The ccNSO Council requests the ccNSO Secretariat to (a) publish the ccNSO Council decision on the ccNSO website/wiki, (b) inform the members of the ccNSO accordingly, and (c) inform the ccNSO Representative on the EC Administration.
4. This decision becomes effective immediately.

Template to inform the ECA of Rejection/acceptance of the ccNSO Board Removal Petition (Notice)

Placeholder text

Needs to include:

1. A supporting rationale, stated in reasonable detail;
2. The contact information of the **Removal Process Manager**;
3. A statement from the ccNSO Council indicating whether the ccNSO requests that ICANN organize a publicly available conference call prior to the **Nominating Committee Director Removal Community Forum**; and
4. A statement indicating whether the ccNSO has determined to hold the **Nominating Committee Director Removal Community Forum** during the next scheduled ICANN public meeting

Template to inform the ICANN Secretary of Rejection/Acceptance of the ccNSO Board Removal Petition (Notice)

Placeholder text

Needs to include:

1. A supporting rationale, stated in reasonable detail;
2. The contact information of the **Removal Process Manager**;
3. A statement from the ccNSO Council indicating whether the ccNSO requests that ICANN organize a publicly available conference call prior to the **Nominating Committee Director Removal Community Forum**; and
4. A statement indicating whether the ccNSO has determined to hold the **Nominating Committee Director Removal Community Forum** during the next scheduled ICANN public meeting

Template Resolution to support the Nominating Committee Director Removal

Draft Resolution

Background

1. Per Section 3.2(f) of Annex D of the ICANN Bylaws, “Following the expiration of the SO/AC Director Removal Comment Period, at any time or date prior to 23:00 (as calculated by local time at the location of ICANN's principal office in Los Angeles) on the 21th day after the expiration of the SO/AC Director Removal Comment Period (such period, the ‘SO/AC Director Removal Decision Period’), the Applicable Decisional Participant shall inform the EC Administration in writing as to whether the Applicable Decisional Participant has support for the SO/AC Director Removal Petition Notice within the Applicable Decisional Participant of a three-quarters majority as determined pursuant to the internal procedures of the Applicable Decisional Participant (‘SO/AC Director Removal Notice’).”
2. Per Section 3.2(f) of Annex D, “The Applicable Decisional Participant shall, within twenty-four (24) hours of obtaining such support, deliver the SO/AC Director Removal Notice to the EC Administration, the other Decisional Participants and ICANN Corporate Secretary, and ICANN shall, at the direction of the Applicable Decisional Participant, concurrently post on the Website an explanation provided by the Applicable Decisional Participant as to why the Applicable Decisional Participant has chosen to remove the affected Director. ”
3. Per Section 11.3(j)(viii), “Approval of a petition notice to remove a director holding seat 13 or 14 as contemplated in Annex D, Article 3, Section 3.2(f): requires an affirmative vote of at least three-fourths (3/4) of the ccNSO Council and at least three-fourths (3/4) of the House that appointed that Director.”
4. On [date], [insert Petitioner’s name] submitted an SO/AC Director Removal Petition to the GNSO Council during the SO/AC Director Removal Petition Period, seeking to remove [insert affected Director’s name] who holds Seat [insert affected Director’s Seat number] for the period from [insert affected Director’s term duration].

Resolved:

1. The ccNSO Council [supports] [rejects] the Nominating Committee Director Removal Petition received on [insert date], from [insert name of submitter].
2. The ccNSO Council requests its Chair to provide to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary a written SO/AC Director Removal Notice of such acceptance within twenty-four (24) hours, providing all requested information per Annex D, Section 3.2(f) of the ICANN Bylaws.
3. The ccNSO Council requests the ccNSO Secretariat to (a) publish the ccNSO Council decision on the ccNSO website/wiki, (b) inform the members of the ccNSO accordingly, and (c) inform the ccNSO Representative on the EC Administration.
4. This decision becomes effective upon the notice of the chair to the ECA.