Non-Commercial Stakeholder Group

Charter was approved by NCSG membership on 12 June 2010 by 70% of the NCSG Membership

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1.0 Mission and Principles

1.1 Mission.

The purpose of the Non-Commercial Stakeholder Group (NCSG) is to represent, through its elected representatives and its interest groups, the interests and concerns of non-commercial registrants and non-commercial Internet users of generic Top-level Domains (gTLDs).

It provides a voice and representation in ICANN processes to: non-profit organizations that serve non-commercial interests; nonprofit services such as education, philanthropies, consumer protection, community organizing, promotion of the arts, public interest policy advocacy, children's welfare, religion, scientific research, and human rights; public interest software concerns; families or individuals who register domain names for noncommercial personal use; and Internet users who are primarily concerned with the noncommercial, public interest aspects of domain name policy.

1.2 Principles for Members and Leaders

The NCSG is committed to the following:

a) *Nondiscriminatory and impartial application of rules*.
 The NCSG is intended to provide a representational vehicle for all noncommercial stakeholders; no noncommercial organization or noncommercial individual should be denied membership and no interest-group or coalition within it denied the right to participate and associate on the basis of their political views or policy positions, or on the basis of their religious belief (or lack thereof), national origin, gender, sexual orientation, race or ethnicity, provided they promote noncommercial interests.

b) *Transparency*.
 Meetings of all Committees must be announced in advance and participation details made available to eligible participants in a timely fashion. Minutes of the meetings must be released to the membership in a timely fashion. Discussions on NCSG's general email list as well as committee mailing lists shall be publicly archived. Financial reports will be available to members within 30 days of receipt of the member's request.

c) *Service standards for elected officers*.
 Service standards for leadership positions include impartiality, accountability and avoidance of conflicts of interest. NCSG officers hold a collective trust and are expected to be fair and responsible stewards of the group's activities. The Chair in particular is expected to look after the general interests of the Stakeholder Group and to be responsive to all members and officers in their requests for information. Term limits and regular elections, as well as removal procedures for nonperforming or corrupt officers, are intended to keep officers accountable and responsive.

d) *Standards of member behavior.*
 Behavioral expectations of all NCSG members, including without limitation: adhering to ICANN Bylaws/Policies; supporting the bottom-up consensus model; treating others with dignity, respect, and courtesy; listening attentively and seeking to understand others; acting with honesty, sincerity and integrity.

e) *Equality of participation*.
 The NCSG is based on an integrated and direct voting model and has a unified administrative structure. This is done to facilitate the achievement of consensus among noncommercial stakeholders and to ensure that all members have the same access to information and the same voting power regardless of which interest-group(s) they are affiliated with.

f) *Encourage Consensus*.
 The NCSG model seeks to encourage communication, cooperation, and consensus building among an extremely broad range of noncommercial interests by holding GNSO Council Representative elections open for direct election to the entire SG membership. This will ensure that candidates must appeal to a wide range of interests within the SG and attempt to build consensus among competing noncommercial views for support.

2.0 Organization and Membership

2.1 Composition.

The NCSG has the following components:

1. Members:

The NCSG Membership shall consist of all organizations and individuals that meet the NCSG Membership criteria and complete the processes set out in Section 2.2. Members are the primary unit of the NCSG and responsible for all voting.

2. Interest-Groups:

Interest-groups are self-organized groupings of NCSG members that give voice to specific policy perspectives of stakeholders within the noncommercial stakeholder grouping. Formation of Interest-groups and their representation and duties within the NCSG are set out in Section 2.3.

3. Internal structures including:

Executive Committee (EC):

The NCSG Executive Committee is responsible for working with the NCSG Chair to make sure the NCSG functions according to its mission and principles. Is has the responsibility for supervising and monitoring the NCSG Chair's performance of executive functions, and can call for a new chair election. The EC is also responsible for membership and for reviewing and approving applications to form new Interest-Groups. Formation of the Executive Committee, the representation and duties within the NCSG are set out in Section 2.4

Policy Committee (PC):

The NCSG Policy Committee serves as a focal point for policy statements issued in the name of the NCSG, organizes policy initiatives on behalf of NCSG, and can provide policy research and guidance to NCSG GNSO Council Representatives. Formation of the Policy Committee, the representation and duties within the NCSG are set out in Section 2.5.

Finance Committee (FC):

The NCSG Finance Committee is responsible for establishing a firm financial footing for the NCSG and administering NCSG funds. Its responsibilities include fund raising, setting voluntary contribution levels for members and for determining procedures for the distribution of funds and for monitoring the utilization of funds. The FC will also be responsible for the Treasurer function. Formation of the Finance Committee, the representation and duties within the FC are set out in Section 2.6.

NCSG Chair

The NCSG Chair is elected by the general NCSG membership for a one year term and is limited to two consecutive terms. The NCSG chair is responsible for

carrying out the executive functions of the NCSG under the Executive Committee's oversight according to ICANN, GNSO and NCSG mission and principles.

2.2. Membership

As the primary unit of authority in the NCSG through direct SG-wide voting, the individual and organizational members of the Stakeholder Group are responsible for making all decisions related to GNSO Council Representation as well as for choosing the chair of the Non-Commercial Stakeholder Group. The members are also responsible for approving any changes to the NCSG Charter before they are sent to the Board for review and approval. The members are also responsible for voting on other membership issues as described in this Charter. Unless otherwise specified, voting is on a majority basis.

2.2.1. Eligible organizations.

Organizations meeting the following criteria are eligible for membership in the Stakeholder Group:

1. Organizations incorporated as a non-commercial entity (in countries that have such a provision in their commercial code) or, if unincorporated, or if operating in a country without provisions for non-commercial incorporation, operate on a not-for-profit basis primarily for non-commercial purposes, and
2. Be the exclusive user of at least one domain name. This can be verified by its listing as the registrant and/or administrative contact in the WHOIS data of the domain name, by the name resolving to a website controlled by and representing the organization, or other indications that prove to the Executive Committee that the prospective Member Organization is the primary user of a domain name, and
3. Are engaged in online activities that are primarily non-commercial, including, e.g., advocacy, educational, religious, human rights, charitable, scientific and artistic, and
4. In the case of a membership based organization have a membership that is primarily non-commercial.

2.2.2. Ineligible organizations.

The membership of the NCSG specifically excludes:

1. Political organizations whose primary purpose is to hold government office and/or elect government officials;

2. Commercial organizations and associations that advocate for the benefit of commercial entities (even if they are non-profit in form);

3. Organizations that are represented in ICANN through another Supporting Organization or GNSO Stakeholder Group;

4. Organizations that provide services under contract or MoU with ICANN;

5. Government organizations or departments whether local, regional or national; and

6. Intergovernmental organizations whose membership primarily includes nation states.

2.2.3 Large organizations and small organizations.

- Organizations that have more than 50 employees, or are membership organizations with more than 500 individual members, shall be classified as "large organizations".

- Organizations that are composed of 10 or more organizational members that qualify as "large" under criterion a. above shall be classified as "large organizations".

- Organizations that do not qualify as large organizations shall be classified as "small organizations".

2.2.4. New Organizational members

New Members shall take the following steps to notify the Stakeholder Group of their desire to join:

1. Complete an application form, which can be downloaded from the Stakeholder Group website.

2. Submit the filled out form to the Executive Committee of the Stakeholder Group.

3. Designate an Official Representative and any Additional Representatives to the Stakeholder Group.

4. Membership shall become complete upon notification of acceptance by the Stakeholder Group Chair, or other officer acting with the consent of the Executive Committee.

2.2.4.1 Official Organizational Representation

Each Member, in its application, shall appoint an individual to serve as the Official Representative to the Stakeholder Group. Such individual will hold the powers of voting and speaking publicly for the Member within votes and discussions of the Stakeholder Group. The Official Representative must be formally authorized to represent the Member Organization by a responsible official of that organization.

The Executive Committee is authorized to make inquiries to the Member Organization to verify their selection. Members can change their Official Representative in two ways:

   1. the Director of the Member Organization can notify the Executive committee of the change; or

   2. the existing Official Representative can resign and submit to the Executive Committee the name of the new Official Representative (the new Official Representative must also be authorized and verified). If an Official Representative holds or vacates an elective office in the NCSG, that office does not become the responsibility of the new representative but must be reselected by the NCSG.

2.2.4.2. Additional Organizational Representation

Each organizational Member may also designate additional individuals to serve as Additional Representatives to the Stakeholder Group. Such Additional Representatives may not vote, but otherwise may participate in Stakeholder Group Interest-Groups, listserves, discussions and meetings. The Executive Committee shall, at its discretion, determine limits to the total number of Additional Representatives any member may appoint (provided the limit shall apply to all Stakeholder Group Organizational Members equally).

2.2.5. New Individual members - Eligible Individuals.

Individual persons who agree to advocate for a noncommercial public-interest position within the Stakeholder group and who fall within one of the following three categories are eligible to join as an "Individual Member":

   1. An Individual who has registered domain name(s) for personal, family or other noncommercial use;

   2. An Individual Internet user who is primarily concerned with the non-commercial public-interest aspects of domain name policy, and is not represented in ICANN through membership in another Supporting Organization or GNSO Stakeholder Group; or

   3. An Individual who is employed by or a member of a large non-member noncommercial organization (universities, colleges, large NGOs) can join NCSG in his

or her individual capacity. The Executive Committee shall, at its discretion, determine limits to the total number of Individual members who can join from any single organization (provided the limit shall apply to all Organizations equally).

An individual who is a member or employee of a noncommercial organization, which is itself a member of the NCSG, may apply for or retain membership in the NCSG under the first two criteria for individual membership. Such membership is subject to Executive Committee review.

2.2.6. Procedural rules

The Executive Committee shall create procedural rules for membership and for existing members to maintain their good standing or for removal of membership for cause. Any such procedure will be subject to membership approval. A full and public membership list including the membership classification, and for organizational members the name of the primary representative, will be maintained on the NCSG web site. The NCSG Chair will be responsible for updating and correcting the membership list.

2.2.7. Participation Rights

The NCSG Membership shall have the following participation rights in regard to the administration and policy development processes of the Stakeholder Group:

1. Directly elect the SG leadership positions as determined by the charter, including GNSO Council representatives; nominate Members to positions elected by the general membership and by the Executive Committee, with timely notification of all elections and public posting of all names nominated to the membership email list;

2. Initiate a policy development process within the Stakeholder Group by proposing a set of terms of reference and obtaining expressions of support for it on the public discuss list from a minimum of eight (8) Members, including the proposer;

3. Be given timely notice of all position papers developed by the Stakeholder Group on the public NCSG email list and afforded an opportunity to comment on them;

4. Submit agenda items to Stakeholder Group meetings and Executive Committee meetings. The submission must be made at least ten days before the meeting and be seconded by two other Members;

5. Propose NCSG Charter amendments. A petition of five (5) percent of the then-current members eligible to vote shall be sufficient for putting a charter amendment on the ballot for consideration at the next regular election;

6. Join Interest-Groups;

7. Vote on the NCSG Charter, changes to the charter and any procedures defined

for members.

2.3 Interest-Groups

Interest-Groups are the means by which NCSG members with similar concerns can work together on the GNSO policy process. Interest-Groups may be represented on all NCSG committees, but do not participate in membership voting which includes, inter alia, GNSO Council Representatives or the NCSG Chair.

2.3.1 In order to start an Interest-Group

10 NCSG members (Organizational or Individual) must sign on to and publish a Statement of Intent (SOI) indicating the purpose and goals of the Interest-Group.

2.3.2 Participation rights

1. Once the SOI is completed, the Interest-Group will be assisted in publishing the notice, creating a mailing list and a participation (wiki or other) page in one of the online environments in use by the NCSG;

2. Appoint a representative of the Interest-Group to be added to the NCSG-Policy Committee;

3. Appoint a representative to be added as an observer to the NCSG-Executive Committee;

4. Appoint a representative to be added as an observer to the NCSG Finance committee;

5. Be notified of all relevant NCSG policy statement development efforts;

6. Be able to submit individual Interest-Group statements as part of the NCSG PDP response.

2.3.3 NCSG-EC certification of an Interest-Group

Once there is evidence of substantive activity by the Interest-Group in furtherance of its noncommercial interest, the Interest-Group can request certification by the NCSG-EC for full representative status within the NCSG committees. Evidence of substantive activity could consist, inter alia, of the following:

- Active participation in GNSO Working Groups and Work Teams;

- Submission of 'Stakeholder, Interest-Group, or Constituency Statements' and other policy analysis in review of GNSO documents and processes;

- Active participation in the creation of NCSG positions and position papers.

Full representative status includes the right to select:

- Two full representatives to the NCSG-EC.

- Two full representatives to the NCSG-PC

- One full representative to the NCSG-FC.

The NCSG Executive Committee will announce that the Interest-Group has been approved and will notify the NCSG membership, the GNSO secretariat as well as the ICANN Board of Directors within a month of its decision.

An Interest-Group should be certified within 6 months of initial approval. If it is not ready for certification within that time, the NCSG-EC will evaluate the progress of the new group and decide wither to extend the time by another 6 months or terminate the attempt.

In the event that a new Interest-Group is not approved by the NCSG-EC, that group can request that the question be taken to a full appeals vote of the NCSG membership. The process for an appeals vote is described in the section 2.4.

2.3.4 Interest-Group re-certification

Interest-Groups must be re-certified by the NCSG-EC on a yearly basis.

In order to be re-certified, an Interest-Group must demonstrate the following:

1. Interest-Groups must still have a defined noncommercial purpose;

2. Interest-Groups must have maintained a dynamic publicly archived discussion list;

3. Interest-Groups must have participated actively in relevant NCSG and GNSO Policy Development Process Working Groups or Work Teams;

4. Interest-Groups must have participated actively in submitting comments and other policy statements to the NCSG and to the GNSO; and

5. Interest-Groups must have at least 10 participants who sign on to an updated SOI for re-certification as an interest-Group.

Any Interest-Group that does not file a request for re-certification after notice of the requirement to do so, will be automatically discontinued 3 months after that notification.

On a yearly basis, notification of the status of all Interest-Groups that have been re-certified will be sent to the NCSG membership, to the GNSO secretariat and to the Board of Directors.

In the event that an Interest-Group is not re-certified by the NCSG-EC, that group can request that the question be taken to a full appeal vote of the NCSG membership. The process for an appeals vote is described in the section 2.4.

2.4 Executive Committee (EC).

The EC's principal functions include:

- Work with NCSG Chair to insure the mission and principles of the NCSG are met;

- Supervise and monitor NCSG elections;

- Approve new NCSG members and maintain membership records;

- Initially certify and annually re-certify the status for all NCSG Interest-Groups;

- Coordination of and among NCSG Interest-Groups;

- Resolution of disputes among NCSG Interest-Groups;

- Establish liaisons with other ICANN organizations.

2.4.1. EC Composition.

The NCSG Executive Committee (EC) shall be comprised of two representatives from each currently certified NCSG Interest-Group. Each proposed Interest-Group may appoint one observer to the NCSG-EC. The elected chair of the NCSG shall also serve as a full member and chair of the NCSG Executive Committee.

2.4.2. EC Decision making

- By default NCSG-EC decisions are made by full consensus of all NCSG-EC members. Full consensus means that no NCSG-EC members have objected to the proposed decision. Any exception to this default will be approved by the NCSG-EC on a full consensus basis.

- Any decision of the NCSG Executive Committee can be appealed by requesting a full vote of the NCSG membership. If 15 NCSG members, consisting of both organizational and individual members, request such a appeal the NCSG Executive Committee will first take the appeal under consideration. If the NCSG-EC and those making the appeal cannot reach a mutually acceptable agreement on the decision within 30 days, then a Stakeholder Group vote will be scheduled as soon as practicable. An appeal on an EC decision regarding Interest-Group certification may be initiated on the request of that Interest-Group.

- For the appeal to succeed, 2/3 of the full NCSG membership must support the appeal in the vote.

2.4.3. EC Leadership

- A Chair will be elected annually by a direct vote of the NCSG membership according to election rules defined elsewhere. In the event that there is a vacancy in the Chair, the NCSG-EC will choose an interim chair to serve until an election can be scheduled.

- One or more vice chairs may be chosen by the NCSG-EC on a yearly basis;

- Should the NCSG-EC not be able to come to full consensus on the selection of a vice-chair or an interim chair, a vote will be held where 2/3 of the sitting members of the NCSG-EC approve the selection;

- A chair can serve, at maximum, 2 consecutive full terms;

- Should it be necessary, the NCSG-EC can call for a new chair election to replace a sitting chair by full consensus of the NCSG-EC (excluding the person being considered for replacement);

- Should it be necessary, a vice-chair can be removed by a full consensus of the members of the NCSG-EC (excluding the person being considered for removal).

2.4.4. EC Work Process

- As much as possible, all NCSG-EC work will be done using Internet tools, including, inter alia,

    o email;

    o wiki usage (Note such a wiki will be publicly viewable though editing may be restricted to members of the NCSG-EC);

    o online document collaboration tools as well as available network cloud based tools

- When necessary, teleconferences will be scheduled. A scheduling tool will be used to attempt to find a time when all members can attend. Unless all members can attend the teleconference, any decisions made at a teleconference will be provisional until full consensus is determined.

- When possible, as enabled - for example - by an ICANN meeting, a face to face meeting of the NCSG-EC will be held. As with teleconferences, if all members

cannot attend, any decisions made will need to be verified for full consensus before being considered final.

2.4.5. EC Mailing List

- All full members and observers will be subscribed to the NCSG-EC mailing list.

- The NCSG-EC list will maintain an open archive.

- For non-subscribers, the list will be a moderated. Comments from NCSG members relevant to ongoing discussions will be forwarded to the NCSG-EC list by list moderator.

2.4.6. EC Observers

- Any observer to the NCSG-EC will have full participation rights except they will not be counted in any consensus process or vote;

- Elected or appointed representatives of Interest-Groups will be given observer status.

2.5 The Policy Committee

The NCSG Policy Committee is responsible for:

- Discussion and development of substantive policies and statements issued in the name of the NCSG. This activity will require coordination with the membership and the Interest-Groups;

- Organizes policy initiatives on behalf of NCSG membership, including PDP initiatives from the membership;

- Provide policy research and guidance to NCSG GNSO Council members;

- Keep membership informed of GNSO Council activities;

- Organize, appoint where appropriate and track NCSG participation in GNSO and other pertinent Working Groups.

- Organization and oversight of any GNSO Council related tasks, whether mandated by Bylaws, Council Procedures or Council decisions.

2.5.1. PC Composition.

The NCSG Policy Committee (PC) shall be comprised of two representatives from each currently certified Interest-Group and one observer from each proposed Interest-Group.

The NCSG GNSO Council Representatives shall also serve as full members of the Policy Committee. The NCSG Chair will participate as an ex-officio member of the NCSG-PC and will be included in determining consensus process and votes. Past GNSO Council Representatives may be included as observers in the NCSG-PC.

2.5.2. PC Decision making

- By default NCSG-PC decisions are made by rough consensus of full NCSG-PC members. Rough consensus means that while all members do not need to agree and that no single member can veto a decision, all views must be heard and considered. Any minority views must be recorded along with the decsions.

2.5.3. PC Leadership

- A chair will be elected or replaced by a 2/3 vote of the NCSG-PC membership on a yearly basis.

   o The NCSG Chair may not serve in this role.

- One or more vice chairs may be chosen by the NCSG-PC on a yearly basis.

2.5.4. PC Work Process

- As much as possible, all work will be done using Internet tools, including, inter alia,

   o email

   o wiki usage (Note such a wiki will be publicly viewable though editing may be restricted to members of the NCSG-PC);

   o online document collaboration tools as well as available network cloud based tools.

- When necessary teleconferences will be scheduled. A scheduling tool will be used to attempt to find a time when all members can attend. Unless all members can attend the teleconference, any decisions made at a teleconference will be provisional until full consensus is determined.

- When possible, as enabled for example by an ICANN meeting, a face to face meeting of the NCSG-EC will be held. As with teleconferences, if all members cannot attend, any decisions made will need to be verified before being considered final.

2.5.5. PC Mailing List

- All NCSG-PC full members and observers will be subscribed to the NCSG-PC mailing list.

- The NCSG-PC list will maintain an open archive.

- For non-subscribers the list will be a moderated. Comments from NCSG members relevant to ongoing discussions will be forwarded to the NCSG-PC list by list moderator.

2.5.6. PC Observers

- Any observer to the NCSG-PC will have full participation rights except will not be counted in any consensus process or vote.

- Elected or appointed representatives of Interest-Groups will be given observer status.

- Past NCSG Council Members may be permitted observer status at discretion of NCSG-PC full members.

2.6 The Financial Committee

The NCSG Finance Committee is responsible for the following:

- Elect a chair who will also serve as NCSG treasurer;

- Determine rates for voluntary contributions from members;

- Develop and deploy a fund-raising plan for the NCSG;

- Work with the ICANN staff to determine levels of support available to the NCSG;

- Work with ICANN finance officers to insure the the NCSG and its Interest-groups receive fair and equivalent financial support from ICANN;

- Accounting for any funds received by the NCSG from any source;

- Final approval of all NCSG financial expenditures from any NCSG funds;

- Providers the oversight of the Treasurer function.

2.6.1. FC Composition.

The NCSG Finance Committee (FC) shall be comprised of one representative from each currently certified NCSG Interest-Group. The NCSG Chair will participate as an ex-officio member of the NCSG-FC and will be included in consensus process and votes. The FC may invite other members as needed to meet its goals and responsibilities.

2.6.2. FC Decision making

- By default NCSG-FC decision are made by rough consensus of its members. Rough consensus means that while all members do not need to agree and that no single member can veto a decision, all views must be heard and considered. Any minority views must be recorded along with the decisions.

2.6.3. FC Leadership

- A chair will be elected by a 2/3 vote of the NCSG-FC membership. The chair will be responsible for filling any necessary treasurer functions for the NCSG.

    o The NCSG Chair may not serve in this role.

- One or more vice chairs may be chosen by the NCSG-FC on a yearly basis.

2.6.4. FC Work Process

- As much as possible, all work will be done using Internet tools, including, inter alia,

    o email;

    o wiki usage (Note such a wiki will be publicly viewable though editing may be restricted to members of the NCSG-FC);

    o online document collaboration tools, for example Google Document, Google Wave and other available network cloud based tools.

- When necessary teleconferences will be scheduled. A scheduling tool will be used to attempt to find a time when all members can attend. Unless all members can attend the teleconference, any decisions made at a teleconference will be provisional until full consensus is determined.

- When possible, as enabled for example by an ICANN meeting, a face to face meeting of the NCSG-FC will be held. As with teleconferences, if all members cannot attend, any decisions made will need to be verified before being considered final.

2.6.5. FC Mailing List

- All NCSG-FC full members and observers will be subscribed to the NCSG-FC mailing list;

- The NCSG-FC list will maintain an open archive;

- For non-subscribers the list will be moderated. Comments from NCSG members relevant to ongoing discussions will be forwarded to the NCSG-FC list by list moderator.

2.6.6. FC Observers

- Any observer to the NCSG-FC will have full participation rights except will not be counted in any consensus process or vote.

- Elected or appointed representatives of NCSG Interest-Groups will be given observer status.

3.0 NCSG GNSO Council Representation

3.1 NCSG Allocation.

The NCSG is assigned six (6) GNSO Council seats by the ICANN By Laws. All NCSG GNSO Council representatives will be directly voted on by the full membership of the NCSG. to the maximum extent possible, no more then two GNSO Council Representative can be declared resident of the same geographic region as defined by ICANN. Reasonable efforts should be taken to recruit nominees so that all geographical regions may be represented by the NCSG GNSO Council Representatives.

3.2 GNSO Council Representatives Terms.

To the extent possible, GNSO Council Representatives shall serve staggered terms such that three NCSG GNSO Council Representatives will be elected in odd numbered years and three GNSO Council Representatives will be elected in even numbered years. GNSO Council Representatives are subject to terms limits as specified in Article X, Section 3 of the Bylaws.

3.3 Responsibilities and Duties of Council Representatives.

A Council Representative elected or appointed pursuant to this Charter shall be subject to the rules, principles, responsibilities, and duties as set forth in the Charter of the Non-Commercial Stakeholder Group as well as the ICANN by laws and the GNSO Council Operating Procedures.

3.3.1 Participation.

Each NCSG GNSO Council Representative shall actively and faithfully participate with the NCSG membership and its committees and Interest-Groups, in considering policy issues and in advancing the goals of the NCSG in every aspect of the GNSO Policy Development Process. NCSG GNSO Council Representatives will be expected to attend all GNSO

Council meetings unless they give prior notice to the NCSG-PC and GNSO Council. Should provision be made in the GNSO Council Operating Procedures for absentee or proxy mechanisms, the Council Representatives will be responsible, where possible, for notifying the NCSG Chair with sufficient notice to allow the Executive Committee or Policy Committee, as required by those rules, to take advantage of such provisions.

Each NCSG GNSO Council Representative shall represent, within the GNSO Council, ICANN and its activities, the goals and priorities of the NCSG to the best of his/her ability and in accordance with the principle of consensus building. Since the NCSG will represent many different non-commercial viewpoints, the NCSG Council Representatives will not be bound in their GNSO Council votes to any specific NCSG established policy. They will, however, be expected to understand the varied positions in the NCSG and to explain to the membership how their votes are in support of non-commercial interests. NCSG GNSO Councilors should work with the NCSG-PC to attempt to develop NCSG policy positions. NCSG GNSO Councilors are expected to keep the NCSG membership informed of policy issues before the GNSO Council, seek input from the NCSG membership and be responsive to member requests for information on matters pending before the Council.

4.0 Voting Procedures

4.1 Nomination Process

The NCSG-EC is responsible for publishing online any open NCSG position and for publishing a description of the job, requirements for the job, and an election schedule for the job.

Any member of the NCSG may nominate any NCSG member in good standing either for the position of a GNSO Council Representative or for NCSG Chair.
 Once nominated, the nominee is responsible for public acceptance of the nomination and for making a public statement that includes:

  • name, declared region of residence, gender and employment;

  • Any conflicts of interest;

  • Reasons for willingness to take on the tasks of the particular position;

  • Qualifications for the job; and

  • Statement of availability for the time the job requires.

4.2 Voting mechanism

All NCSG votes will be held using an online voting system to be determined, approved and supervised by the NCSG Executive Committee. Membership classification for voting

will be based on the official membership list, which must include the category of membership and must be verified before any vote.

4.3 Election for NCSG GNSO Council Representatives (size, number, and distribution of votes):

In the discussion below, N refers to the number of seats that need to be elected. Optimally N will equal 3 seats in years with normal rotation. Any number of reasons can cause this number to vary.

- NCSG members classified as "individuals" will be given N votes and must assign 1 vote each to each of N candidates.

- NCSG members classified as "small organizations" will be given 2N votes and must assign all 2 votes to each of N candidates.

- NCSG members classified as "large organizations" will be given 4N votes and must assign all 4 votes to each of N candidates.

4.4 Election of NCSG Chair (size and number of votes):

- NCSG members classified as "individuals" will be given 1 vote.

- NCSG members classified as "small organizations" will be given 2 votes.

- NCSG members classified as "large organizations" will be given 4 votes.

- Members must cast all their votes for a single candidate.

4.5 Member Voting Eligibility:

Any NCSG Member who has been a member for at least thirty (30) days from the date of the election is eligible to nominate candidates, vote in NCSG elections, and propose amendments to the NCSG Charter.

5.0 Amendments to the NCSG Charter.

Proposals to amend this charter may be submitted by a group of 10 members of the NCSG making the same proposal, the NCSG-EC or the ICANN Board of Directors or one of the Board's committees.

Such changes may only be made after there has been a community review, approval by 60% vote of NCSG members and final review/approval by the ICANN Board of Directors.

6.0 Charter Amendments.

Version	Date	Name	Description
1.0	22 June 2009	Structural Improvements Committee	Version approved and published for community input
2.0	30 July 2009	Structural Improvements Committee	Additional revisions submitted to Board for approval
2.1	19 March 2010	NCSG EC	Inclusion of changes agreed upon by NCSG community
2.2	11 April 2010	NCSG EC	Completion of draft - including resolution of IC/C issue proposal and financial governance issues
2.3	7 May 2010	NCSG Chair	Update near the end of the membership review period prior to ballot based on membership comments
2.4	10 May 2010	NCSG Chair	Update at the end of the membership review period prior to ballot based on membership comments
2.5	14 June 2010	NCSG Chair	Add information on the NCSG approval of the Charter by 70% and fixed one typo a voter pointed out; s/consensue/consensus/

7.0 APPENDIX: Transition to NCSG Charter

7.1 The charter will take effect once it is approved by the NCSG members and the ICANN Board of Directors. Until such time, the NCSG will run according to the currently approved interim charter, all pertinent ICANN board decisions and the transition agreement put in place by the NCSG at the Seoul ICANN meting.

7.2 Until such time as the charter is approved by the ICANN Board, any and all members of constituencies and of Interest-Groups within the NCSG as well as any 2009 Board appointed GNSO Council members who are not currently members of the NCUC are deemed to be NCSG members.

7.3 Once in effect all existing constituencies and interest groups will be converted to Interest-Groups as defined in this charter and will be subject to review within 6 months of the date the final approval of the NCSG Charter.

7.4 GNSO Council Seat Elections. The NCSG has been assigned six (6) GNSO Council seats and, according to the provisions in Section 3.2, GNCSO Council Representatives' terms are to be staggered.

7.4.1. In 2008 two council members were elected by the NCUC to a 2-year term scheduled to end in 2010.

7.4.2. In 2009 one council member was elected by the NCUC to a 2-year term scheduled to end in 2011. These terms will continue as planned.

7.4.3. In 2009 three GNSO Council Representatives were appointed by the ICANN Board. Their terms are schedule to end in 2011.

7.4.4 In order to enable staggered terms, the following GNSO Council election procedure will be followed:

Year	Number to elect	Term
2010	2	2 year
2011	1	1 year
"	3	2 year
2012	3	2 year
yearly	3	2 year

The NCSG Executive Committee will ensure, to the maximum extent possible, that, in the selection of GNSO Councilors, no more than two shall come from the same geographic region as defined in the ICANN Bylaws.