

## **ANNEX 6: Registries Stakeholder Group and Registrars Stakeholder Group Process to Select ICANN Board Seat #13 Candidates**

This process<sup>1</sup> should begin no later than 12 months in advance of the date that the new Director will be seated.

1. Applicability
  - a. This election procedure will apply only to the nomination and selection of a Board Seat 13 representative. While this procedure references some definitions and criteria in the Registries Stakeholder Group (RySG) Charter and the Registrar Stakeholder Group (RrSG) Charter, the individual election procedures of each Stakeholder Group do not apply here except where specifically indicated below. This process is specific to the rules and processes for the RySG and RrSG to jointly select a Board Seat 13 representative (the “Board Seat 13 Election”).
2. Eligible Voters
  - a. Eligible Voters will be determined for each Stakeholder Group (Stakeholder Groups refer to the RySG and RrSG) in line with the voting eligibility requirements outlined in each Stakeholder Group’s Charter.
  - b. Regardless of various membership categories in both the RySG and RrSG, for Board Seat 13 Elections only full individual Members of each Stakeholder Group will be eligible to vote. Referred to in this process as Voting Members.
  - c. Voting Members may designate a proxy to cast their online ballot in accordance with the standard SG process for proxy votes, if applicable.
3. Voting and Nomination Rights
  - a. New Voting Members must have paid their initial dues to commence their membership and have voting rights. Current Voting Members need to have paid their dues within the stipulated payment period to be eligible for continued membership including voting.
  - b. Members, prospective Members, or non-voting Members who wish to switch their voting rights to either the RySG or RrSG from another Stakeholder Group or Constituency must obtain in writing from the other group where they currently vote a declaration that those voting rights have been terminated. That Member will not be eligible to vote in the Board Seat 13 Election for a minimum of six months following the date of the former Stakeholder Group or Constituency’s confirmation. This time-period may be subject to change at the discretion of each of the Executive Committees of the RySG and RrSG. The Executive Committees will communicate any changes in the time- period prior to the change.
  - c. Nomination Rights. During the Open Nomination Period, Voting Members (either primary, alternate, or member representative of full Members) of either SG may nominate themselves or nominate any individual to sit for Seat 13 (i.e., no requirement that the candidate be a current member of the RrSG or the RySG).
4. Nominee Eligibility
  - a. Nominees are not required to be members of either Stakeholder Group. Nor are they required to be employees of, or affiliated with, an existing Stakeholder Group member.
5. Timeline and Steps
  - a. Election and Nomination Announcement
    - i. The Executive Committees of the RySG and the RrSG together will issue a call for candidates. Stakeholder Group Secretariats will coordinate the announcement of the nomination period over email, the timing, and the communication regarding elections and nominations across Stakeholder Groups.
  - b. Open Nomination period
    - i. The period for the call for candidates shall be thirty (30) calendar days (the

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<sup>1</sup> The Annex 6 process is specific to the joint selection process by the Registries and Registrars of a CPH representative for Board Seat #13. The process is not bound by the Charters or Operational Procedures of either house except where explicitly referenced.

- “Open Nomination Period”).
- c. Nomination
    - i. During the Open Nomination Period nominees may self-nominate or be nominated by a primary, alternate, or member representative of a Voting Member to qualify to appear on the ballot.
    - ii. A “second” from a Contracted Parties House(CPH) member is required for any self-nominations (Contracted Parties House is comprised of the RySG and RrSG).
  - d. Nomination Acceptance
    - i. All nominees should accept or reject their nomination within three (3) calendar days of the end of the Open Nomination Period in order to qualify to appear on the ballot.
  - e. Candidate Statement Period
    - i. Within seven (7) calendar days of the end of the Open Nomination Period, all candidates must submit a Candidate Statement to the SGs outlining their qualifications to serve in Seat 13. If a candidate does not submit a Candidate Statement by the deadline, that candidate shall not be included in the ballots.
    - ii. The Candidate Statement should include a declaration of any affiliation with or employment by a Member of the RrSG, RySG or other ICANN group. Such as, but not be limited to: officer, director, consultant, or employee. Any nominee should to the best of their ability identify any existing or potential conflict of interest.
  - f. Candidate Review and Confirmation
    - i. Within seven (7) calendar days of the end of the Candidate Statement submission period, the Joint Stakeholder Group Executive Committees (Joint Stakeholder Group Executive Committees are comprised or the RySG Executive Committee and RrSG Executive Committee as defined in their respective Charters) and Secretariats will consult to confirm eligibility and finalize the candidates.
  - g. Candidate Discussion Period and Forum
    - i. Following the confirmation of candidate eligibility, each SG will hold a Candidate Discussion Period of at least fourteen (14) calendar days. The SGs will hold a joint CPH Candidate Forum during this Discussion Period.
  - h. Election Period
    - i. The Election Period begins after the Discussion Period is concluded.
    - ii. Voting Members will use an electronic ballot which will be open for fourteen (14) calendar days for an initial vote. Subsequent rounds of voting (if required) will be open for at least seven (7) calendar days.
    - iii. Results of any election round will be coordinated by the SG Secretariats and announced concurrently.
  - i. Quorum
    - i. Participation of at least 25% of each Stakeholder Group’s Voting Members will be required to reach voting quorum.
    - ii. If voting quorum is not met for one or both Stakeholder Groups, the voting period will be extended by seven (7) calendar days, to be announced on the first day of the (7) calendar day extension. If voting quorum is still not reached, the Executive Committees of the RySG and RrSG will jointly determine an appropriate additional voting period in order to meet quorum.
  - j. Abstention
    - i. The ballot will include an option to abstain. Abstentions will not be counted among the votes, but will count towards voting quorum.
  - k. Timeline
    - i. The various timelines (open nomination, election, voting, etc) outlined in this section are subject to change based upon consultation and agreement by the joint Stakeholder Group Executive

Committees.

- i. Election Results
  - i. The secretariats will coordinate with the Executive Committees of each Stakeholder Group to tabulate and communicate the results at the close of the voting periods. Results and any next steps will be reported as promptly as is reasonable.
  - ii. Published results will include how many votes were cast for each candidate by each SG and the list of members that voted. All individual votes will remain anonymous.
6. Election Procedures<sup>2</sup>– The SGs each will conduct a vote on the same slate of candidates with the following three scenarios:
  - i. Multi Candidate (3 or more) Process – preference vote\*
    1. Each voting party gets to rank up to their top three candidates with the A rank = 3 ‘preference points’, B rank = 2 ‘preference points’, and C rank = 1 ‘preference point.’ The A, B and C ranks, if selected, must be allocated to different candidates.
    2. The SGs each add the total preference points for each candidate and divide by the number of parties voting in the election for that SG (this accounts for a variation in size of voting parties across the two SGs). These results are the pro-rata preference points for each SG and the total pro-rata preference points between the SGs are the cumulative preference points (“CPP”). (see example below\*)
    3. If one candidate has clear support of 5 or more CPPs that candidate is declared the winner and the process terminates.<sup>3</sup>
    4. If no one candidate has a clear support of the CPPs, then the candidates with the two largest number of CPPs move on and a Two Candidate election process is held per below.
    5. Example – in the below example of a Multi-Candidate election process between three candidates (A,B & C), one SG has 25 members who vote in the election and the other has 40. Based on the vote below, there is no clear support and Candidates A and B would move on to a Two Candidate election.
    6. Tie breaker.
      - a. In the unlikely event of a tie (including a two-way and three-way tie), the count of each preference vote will be taken into account sequentially to determine the winner, i.e. the count of A votes for each candidate, then the count of B votes for each candidate and finally the count of C votes. A first place tie without a CPP of 5 for the candidates will move both candidates to a two-candidate election, without the need to resolve a tie. If there is no clear winner and there is a tie between positions 2 and 3, second place will be awarded to whichever of the tied candidates received the higher count of preference Rank A (normalized by SG size).
      - b. If step 6 a. does not resolve the second place tie, then second place should be awarded to whichever of the tied candidates received the higher count of preference Rank B votes (normalized by SG size).
  - ii. Two Candidate Election – majority vote
    1. If one of the candidates wins more than 50% of the vote in one SG and at least 50% in

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<sup>2</sup> This [calculator](#) incorporates these procedures and will be used to tally all votes.

<sup>3</sup> If there are two candidates that are tied and achieve clear support of 5 CPPs, those candidates will move to the two candidate election process.

the other (i.e. a majority of the vote in one SG and at least a tie in the other) (the “Minimum Vote”), that candidate will be declared the winner and the process terminates.

2. If neither candidate achieves the Minimum Vote, then the candidate with a higher average percentage of the vote of the two SGs would move to the Single Candidate election below for a yes/no vote and the other candidate is dropped (e.g. Candidate A gets 75% in one SG and 45% in the other SG, the average would be 60% and Candidate B’s average between 25% and 55% would be 40%. Candidate A would move on to the Single Candidate election process and Candidate B would be dropped).
3. Tie breaker
  - a. In the case of a tie, the SGs will rerun the election with the same two candidates.
  - b. If a tie remains following the rerun, the election would move to the No Clear Winner Procedures in Section 7 below.

iii. Single Candidate Election – yes or no vote

1. If the candidate wins the “Minimum Vote”, that candidate will be declared the winner and the process terminates.
2. If the candidate does not win the Minimum Vote, the process may be re-run only one time at the discretion of the Joint Stakeholder Group Executive Committees.
3. If the candidate does not win the Minimum Vote in the initial vote or optional re-run, the process moves to the Stalemate Procedures below.

7. No Clear Winner Procedure

- a. Should no candidate be declared the winner per the above, there should be a consultation process between the two SGs and then each Stakeholder Group Executive Committee after consultation with its respective SG shall nominate up to one (1) additional candidate each through a “Closed Nomination Period.” These up to two (2) candidates could be brand new<sup>4</sup> to the process or one (or two) of the unsuccessful candidates. The Consultation and Closed Nomination Period together shall last no longer than thirty (30) days.
- b. If there is only one additional candidate nominated in this Closed Nomination Period, the SGs will hold a Single Candidate election per above.
- c. If two candidates are proposed in the Closed Nomination Period, the SGs will hold a Two Candidate election per above. If neither candidate achieves the Minimum Vote in a Two Candidate election, then the candidate with the higher average percentage of the vote of the two SGs would move to the Single Candidate election per above.
- d. Should no candidate be declared the winner in the No Clear Winner first round (steps 7 a-c), the SGs may hold a second round of a Single Candidate election. There should be a consultation process between the two Stakeholder Group Executive Committees, after this consultation the Joint CPH Executive Committee shall nominate only one (1) candidate through a second “Closed Nomination Period”. This sole candidate could be brand new to the process or one of the unsuccessful candidates. The Consultation and Closed Nomination Period together shall last no longer than thirty (30) days.
- e. If the single candidate does not receive the Minimum Vote to win, the process will move to Part II, the Final Stalemate procedure.

8. Final Stalemate Procedure

- a. Should no additional candidate be proposed in the Closed Nomination Period or no candidate prevail in the voting process, then a winner will be drawn randomly by the joint Executive Committees of the RySG and RrSG from all the candidates who appeared on the ballot at any point in the selection process. The random drawing shall be conducted with each candidate receiving an equal chance.

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<sup>4</sup> Brand new candidates should submit a Candidate Statement and candidate discussion and Forum may be held.



\*Multi Candidate Voting Process Example

		SG1 - 25 Voters			SG2 - 40 Voters				
		Candidate A	Candidate B	Candidate C		Candidate A	Candidate B	Candidate C	
Preference Points	3 PP	8	10	7		3 PP	25	5	10
	2 PP	5	9	11		2 PP	14	20	6
	1 PP	12	6	7		1 PP	1	15	24
Total Points		46	54	50			104	70	66
Pro-rata Points		1.84	2.16	2			2.6	1.75	1.65
Cumulative Points*		4.44	3.91	3.65					

\*Total Universe of Cumulative Preference Points (6 per SG) = 12 CPP. Clear Support Threshold = 5 or more CPP. In this example, SG 1 has a total of 150 possible preference points (25 Voters x 6 preference points). SG 2 has a total of 240 preference points (40 Voters x 6 preference points). SG 1- Total Points are divided by 25 Voters = Pro-rata points. SG2- Total Points are divided by 40 Voters = Pro-rata Points. Pro-rata Points are added across SG 1 and SG 2 = Cumulative Preference Points.

Here no candidate is declared a clear winner, and we move to two candidate elections between Candidate A and Candidate B as the candidates with the two highest numbers of CPPs.

\*\*END OF ANNEX 6\*\*