

GUIDELINES & MOTION TEMPLATES

<p style="text-align: center;">Annex D: EC Mechanisms Section 3.1 Nominating Committee Director Removal Process</p>

1. Introduction

The purpose of this document is to provide guidance to the GNSO Council on the removal of a Board Director selected by the Nominating Committee. It provides guidance on how: 1) an individual submits to the GNSO Council a Nominating Committee Director Removal Petition; 2) the GNSO community provides feedback on a petition; 3) the GNSO Council decides whether to accept or reject a petition, or support a petition from another Decisional Participant; 4) the GNSO community provides feedback before and after a Community Forum on the Nominating Committee Director Removal; and 5) the GNSO Council decides to support, object, or abstain from a Nominating Committee Director Removal. See the [flowchart](#) for further details.

By way of explanatory introduction, the ICANN Bylaws leave specific details about how each Decisional Participant in the Empowered Community plans to carry out its stated responsibilities to be determined by such Decisional Participant.

For example, the Bylaws require that a request to take some action must be filed by the GNSO no later than a particular time, yet do not specify how to fulfill this requirement in the specific GNSO context. Questions that arose when developing these guidelines included, for example: Is such a request made by a Stakeholder Group or Constituency (SG/C) of the GNSO via its representatives on the GNSO Council? Or alternatively by the SG/C leadership? Or by an SG/C member to SG/C mailing list? Or by an SG/C member directly to the Council? Each Bylaws requirement generates a multitude of such questions.

To help the GNSO Council carry out its new roles and responsibilities outlined in the post-transition Bylaws, the GNSO Drafting Team to Further Develop Guidelines and Principles for the GNSO's Roles and Obligations as a Decisional Participant in the Empowered Community ("the GNSO DT") has outlined in the table below the additional proposed steps to be taken, including guidance and motion templates. These steps fall within the GNSO's existing processes and procedures, and thus do not require any changes to the GNSO Operating Procedures or its Annexes.

Specifically, relevant Bylaws provisions have been quoted in order to differentiate those requirements that are explicitly provided by the Bylaws and the additional steps interpreted by the DT as needed to carry out the GNSO's responsibilities.

For the avoidance of doubt, where requirements are expressly specified by the ICANN Bylaws, these are noted to clarify the distinction with additional steps that have been designated by the DT as appropriate (but not explicitly necessary under the Bylaws) for the GNSO's specific circumstances.

These Guidelines and Templates are internal to the GNSO. They apply only to the exercise of the GNSO's rights and responsibilities as a Decisional Participant in the Empowered Community, as those are set out in the currently applicable ICANN Bylaws, and not to any other Decisional Participant.

All references to actions of the GNSO Representative on the EC Administration in these Guidelines and Templates mean the actions of the currently designated GNSO Representative on the EC Administration. All such actions must be carried out under instruction from the GNSO; the GNSO Representative on the EC Administration is not empowered or authorized by these Guidelines and Templates to act independently or otherwise on his/her own initiative.

2. Background

Per Annex D, Section 3.1 (a) of the ICANN Bylaws, “[s]ubject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant seeking to remove a Director holding Seats 1 through 8 and initiate the Nominating Committee Director Removal Process (**‘Nominating Committee Director Removal Petition’**). Each Nominating Committee Director Removal Petition shall set forth the rationale upon which such individual seeks to remove such Director. The process set forth in this Section 3.1 of Annex D is referred to herein as the **‘Nominating Committee Director Removal Process.’**”

The relevant Bylaws provisions (set out and discussed in detail below) are complex; the Drafting Team spent considerable time discussing the nature and extent of the involvement of each GNSO House in fulfilling Bylaws requirements. To help the GNSO Council better understand these Guidelines and Templates, there are essentially three major points at which the GNSO Council (or certain specified members of the Council) is/are required to act:

- 1) Completeness of a received Petition to remove a Nominating Committee Director is certified by GNSO Council leadership;
- 2) Council vote to accept/reject the Petition (including related decisions regarding the Community Forum) (entire Council votes, all votes counted); and
- 3) Council vote to support, object to, or abstain from the removal of the affected Nominating Committee Director (entire Council votes, all votes counted).

Link to the graphics below:

https://www.icann.org/empowered_community_powers_file_download?file_name=download_english

HOW DOES THE EMPOWERED COMMUNITY USE THEIR POWERS?

The Empowered Community has a process to raise concerns with an action or inaction made by the ICANN Board or organization. This escalation process gives ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs) opportunities to discuss solutions with the ICANN Board.



What is the Empowered Community?

The Empowered Community is the mechanism through which ICANN's SOs and ACs can organize under California law to legally enforce community powers. The community powers and rules that govern the Empowered Community are defined in the ICANN Articles of Incorporation and Bylaws.



Who can participate in the Empowered Community?

All of ICANN's SOs, as well as the At-Large and Governmental ACs, can participate in the Empowered Community including: the Generic Names Supporting Organization, the Country Code Names Supporting Organization, the Address Supporting Organization, the Governmental Advisory Committee and the At-Large Advisory Committee.



WHAT ARE THE EMPOWERED COMMUNITY POWERS?



The Empowered Community has nine powers to ensure the Internet Corporation for Assigned Names and Numbers (ICANN) Board and organization are accountable:



3. Bylaws and Additional Proposed Steps

The following table sets out the applicable Bylaws provision/s, the actions already completed by the GNSO in relation to those Bylaws provisions, and the additional proposed steps that were tasked to the GNSO DT. The remaining sections of these Guidelines are intended to address the Additional Proposed Steps.

BYLAWS	ALREADY COMPLETED WORK	ADDITIONAL PROPOSED STEPS
<p>ANNEX D, SECTION 3.1 NOMINATING COMMITTEE DIRECTOR REMOVAL PROCESS</p> <p>a) Subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant seeking to remove a Director holding Seats 1 through 8 and initiate the Nominating Committee Director Removal Process ("Nominating Committee Director Removal Petition"). Each Nominating Committee Director Removal Petition shall set forth the rationale upon which such individual seeks to remove such Director. The process set forth in this <u>Section 3.1 of Annex D</u> is referred to herein as the "Nominating Committee Director Removal Process."</p>	<p>Added new voting thresholds for the following action by GNSO Council to section 11.3.i of the ICANN Bylaws:</p> <p>Approval of a petition to remove a director holding seats 1 through 8 – GNSO Supermajority</p> <p>Note, the petition which is to be submitted in the form of a motion is expected to include the information as required per the ICANN Bylaws.</p> <p>Addition to the GNSO Operating Procedures to 1) clarify that, in specific circumstances, the GNSO Council may waive the timeframes currently referenced in the GNSO Operating Procedures in relation to submission of motions as well as scheduling of meetings to meet its obligations under the timelines outlined in the ICANN Bylaws as a Decisional Participant and 2) add a provision to clarify that all petitions concerning a director removal submitted by an individual must be submitted directly to the GNSO Council.</p>	<p>DT to develop proposed guidance for the submission of such petitions, including any requirements for the criteria to be included in a petition.</p>

	<p>Note, in relation to 1), due to the added requirement here for a dialogue with the affected Director, to take place during the 21-day petitioning period, the Operating Procedures would make clear that any expedited Council vote should not take place before this dialogue (or a reasonable opportunity for one) has taken place.</p>	
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4. GNSO Process and Rules for the Nominating Committee Director Removal Petition

The process of developing and providing advice to the GNSO's Representative on the Empowered Community (EC) Administration falls within the GNSO Operating Procedures. This Guideline is meant to supplement those procedures.

This section details the procedures to be followed, who may submit a Nominating Committee Director Removal Petition (hereinafter referred to as the "Petition"), how to submit such a Petition to the GNSO (being a Decisional Participant), and how the GNSO will go about accepting or rejecting such a Petition. All references to "notices" and "notification" in this section mean written notice, either as formal correspondence or email.

4.1 Who is eligible to submit the Nominating Committee Director Removal Petition to the GNSO Council?

Per Annex D, Section 3.1(a) of the ICANN Bylaws, "An individual may submit a petition to a Decisional Participant seeking to remove a Director holding Seats 1 through 8 and initiate the Nominating Committee Director Removal Process ('Nominating Committee Director Removal Petition')."

An individual must submit such a Petition to the GNSO Council, which is the representative body of the GNSO as a Decisional Participant. (Note: such a Petition can be submitted directly to the Council, transmitted through a GNSO Stakeholder Group or Constituency, or via other channels. However, as per Section 4.2.1 below, the date when the GNSO Council receives a Petition marks the beginning of the Nominating Committee Director Removal Petition Period. For further context, reference the deliberation on this specific point in the GNSO DT meeting recording/transcript here: <https://community.icann.org/x/JpECBw>)

4.2 Nominating Committee Director Removal Petition Period, Requirements, Publication, and Certification

4.2.1 Nominating Committee Director Removal Petition Period

4.2.1.1 Nominating Committee Director Removal Petition Period Begins

The day on which the GNSO Council receives a Petition marks the beginning of the Nominating Committee Director Removal Petition Period (hereinafter referred to as the “Petition Period”).

4.2.1.2 Nominating Committee Director Removal Petition Period Ends

The twenty-first (21st) day into the Petition Period marks the end of such Petition Period, as the GNSO Council must either accept or reject a Petition no later than 11:59 PM (as calculated by local time at the location of ICANN's principal office in Los Angeles) on that twenty-first (21st) day. In the timeline presented as a table in section 4.2.11 below, this is depicted as Day 21.

4.2.2 Requirements for a Nominating Committee Director Removal Petition

In accordance with Annex D, Section 3.1(a)-(b) of the ICANN Bylaws, and to enable an informed decision by the GNSO Council with respect to the Nominating Committee Removal Petition, the Petition shall include at least the following:

- Name and affiliation of the Petitioner; and
- Name and term of the affected Director who holds a seat designated between, and including, seat 1 through seat 8; and
- Rationale upon which the Petitioner seeks to remove the affected Director; and
- Confirmation that the affected Director, during the same term, had NOT previously been subject to a Nominating Committee Director Removal Petition that led to a Nominating Committee Director Removal Community Forum (hereinafter referred to as the “Community Forum”).

Each Petition shall have as its subject only one Nominating Committee Director (in this case, one single Director who holds a seat designated between, and including, seat 1 through seat 8).

4.2.3 Nominating Committee Director Removal Petition Review and Certification of Completeness

On receipt of a Petition submitted by an individual per Section 4.1 of this Guideline, the GNSO Secretariat will promptly circulate the Petition to the GNSO Council via the GNSO Council mailing list.

The GNSO Council leadership shall determine within two (2) days after circulation of the Petition whether the Petition is complete, i.e., that it addresses all of the requirements as set forth above and in Annex D, Section 3.1(a)-(b) of the ICANN Bylaws.

If the GNSO Council leadership determines that the Petition is not complete, the Petitioner and the GNSO Council will be informed promptly in writing, and the Petitioner will be given a reasonable time to resubmit the Petition. Failure to resubmit a correct and complete Petition will result in the automatic termination of the Nominating Committee Director Removal Process with respect to the applicable Petition. The GNSO Council Secretariat will publish on the GNSO website/wiki the uncertified Petition, and the findings of the GNSO Council leadership with respect to the non-certification of the Petition.

If the GNSO Council leadership certifies the Petition (i.e., determines that a Petition has addressed all of the requirements set out in Section 4.2.2 of this Guideline), the GNSO Council leadership will promptly inform the GNSO Council. The GNSO Council leadership will request that the GNSO Secretariat publish the Petition and its certification on the GNSO website/wiki, as well as to the GNSO Stakeholder Group and Constituency mailing lists.

Once published, the GNSO Secretariat will inform the Petitioner, the affected Director subject to the Petition, the Chair of the Board of Directors (or the Vice Chair of the Board if the Chair is the affected Director), the ICANN Corporate Secretary, and the GNSO Representative on the EC Administration and promptly send all of these parties an invitation to participate in a dialogue in accordance with Section 4.2.4 of this Guideline.

The GNSO Secretariat will post all correspondence between the GNSO Representative on the EC Administration and other Decisional Participants, the ICANN Corporate Secretary, and the EC Administration on the GNSO website/wiki.

4.2.4 Dialogue Regarding the Nominating Committee Director Removal Petition

Per Annex D, Section 3.1(c) of the ICANN Bylaws, upon publication of a certified Petition, the GNSO shall invite the affected Director subject to the Petition and the Chair of the Board of Directors (or the Vice Chair of the Board if the Chair is the affected Director) to a dialogue with the Petitioner and the GNSO Representative on the EC Administration.

The dialogue, either in person or via tele-conference, will take place no later than the tenth (10th) day into the Petition Period. The GNSO Secretariat will assist in identifying a suitable date/time for all invited parties to participate.

The GNSO Secretariat will assist in organizing the dialogue, which will be recorded and transcribed. The GNSO Representative on the EC Administration will assist in moderating the dialogue. After the dialogue has been completed, the GNSO Secretariat will promptly post the recording and transcription to the mailing lists of the GNSO Council, Stakeholder Groups, and Constituencies, as well as publish them on the GNSO website/wiki.

4.2.5 GNSO Community Feedback on Certified Nominating Committee Director Removal Petition

Upon publication of a certified Petition, the GNSO Stakeholder Groups and Constituencies will be asked to provide feedback, opinions or comments on the merits of the Petition. They are welcome to take into consideration the feedback, views, and input exchanged during the dialogue described in Section 4.2.4 above, if it has been conducted, between the invited parties as per Annex D, Section 3.1(c) of the ICANN Bylaws.

This feedback period will close on the fifteenth (15th) day into the Petition Period.

The GNSO Council leadership will work with GNSO support staff to compile any comments received, and post the compilation of comments to the GNSO Council list. The GNSO Secretariat will promptly post the compilation of comments to the GNSO website/wiki. If feasible and time permits, the GNSO Council leadership may work with GNSO support staff to categorize and summarize these comments to facilitate their review by the GNSO Council.

4.2.6 GNSO Council Decision on Whether to Accept a Nominating Committee Director Removal Petition

The GNSO Council shall meet either in person or via tele-conference no later than the twentieth (20th) day of the Petition Period to decide whether to accept or reject the Petition. This is represented as Day 20 in the timeline table set out in Section 4.2.11 below.

Any Petition that has not been certified by the GNSO Council leadership as addressing all of the requirements identified in Section 4.2.2 above will not be considered by the GNSO Council.

In its meeting, the GNSO Council shall decide whether to support or reject the Petition. In accordance with Section 11.3(j)(v) of the ICANN Bylaws, the decision shall be made by a GNSO Council Supermajority vote, which means: (A) two-thirds (2/3) of the Council members of each House, or (B) three-fourths (3/4) of the Council members of one House and a majority of the Council members of the other House.

In taking its decision, the GNSO Council shall consider:

- The rationale upon which the Petitioner seeks to remove the affected Director; and
- Whether the dialogue between the affected Director and the Chair of the Board of Directors (or the Vice Chair of the Board if the Chair is the affected Director) with the Petitioner and the GNSO Representative on the EC Administration has occurred (note that per Annex D, Section 3.1(c) of ICANN Bylaws, “The Nominating Committee Director Removal Petition may not be accepted unless this invitation has been extended upon reasonable notice and accommodation to the affected Director's availability”); and
- If the dialogue has occurred, the feedback, views, and input exchanged during the dialogue; and

- If the dialogue has not occurred, whether there have been reasonable efforts among all invited parties to participate in the dialogue (note that per Annex D, Section 3.1(c) of ICANN Bylaws “If the invitation is accepted by either the Director who is the subject of the Nominating Committee Director Removal Petition or the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director), the Nominating Committee Director Removal Petitioned Decisional Participant shall not accept the Nominating Committee Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the dialogue”); and
- The feedback, views, and input received from the GNSO Stakeholder Groups and Constituencies regarding the Petition; and
- The importance of the matter for the GNSO Stakeholder Groups and Constituencies; and
- Other factors deemed relevant by the GNSO Council.

If the GNSO Council decides to accept the Petition, it must decide, in accordance with the ICANN Bylaws (Annex D, Section 3.1(d)(i)(C-D)):

- Whether to request ICANN to hold a publicly available conference call prior to the Nominating Committee Director Removal Community Forum; and
- Whether to request that ICANN hold the Community Forum during the next scheduled ICANN public meeting.

The GNSO Secretariat will publish the GNSO Council decision on the GNSO website/wiki directly after it has been taken and inform the Stakeholder Groups and Constituencies accordingly via their mailing lists. Additionally, the GNSO Secretariat will inform the GNSO Representative on the EC Administration, who will act on behalf of the GNSO as the Nominating Committee Director Removal Petitioning Decisional Participant (hereinafter referred to as “Petitioning Decisional Participant”).

If the GNSO Council has not reached a decision with respect to a submitted and certified Petition by the end of the twentieth (20th) day of the Petition Period, the GNSO Council will be deemed to have rejected the proposed Petition. The GNSO Secretariat will inform the Stakeholder Groups and Constituencies accordingly via the GNSO Council and the Stakeholder Group and Constituency mailing lists, and publish this on the GNSO website/wiki. Additionally, the GNSO Secretariat will inform the GNSO Representative on the EC Administration; subsequently, the GNSO Representative on the EC Administration will notify the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary about the GNSO Council’s decision.

The motion template in Section 6.1 of this Guideline (Motion to Accept/Reject a Nominating Committee Director Removal Petition) may be used by the GNSO Council to accept/reject such a Petition.

4.2.7 Informing the Community, the other Decisional Participants, and the EC Administration of Acceptance of the Nominating Committee Director Removal Petition

Within twenty-four (24) hours after the GNSO Council decides to accept the Petition, the GNSO Representative on the EC Administration will promptly provide a Nominating Committee Director Removal Petition Notice (hereinafter referred to as the “Petition Notice”) to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary.

In accordance with the Bylaws Annex D, Section 3.1(c)(i), the Petition Notice must include:

- The Petition and the rationale for the Petition; and
- The GNSO Council decision and the rationale for the decision. (such rationale would be required were the Petition to be accepted by at least one (1) other Decisional Participant, in accordance with Annex D, Section 3.1(d)(i)(A) of the ICANN Bylaws)

4.2.8 Solicitation of Support from Other Decisional Participants

Immediately upon submission of the Petition Notice to the EC Administration and the other Decisional Participants as defined in the ICANN Bylaws, the GNSO Representative on the EC Administration shall contact the other Decisional Participants to invite them to support the GNSO Petition.

The GNSO Secretariat will post all correspondence between the GNSO Representative on the EC Administration and other Decisional Participants, the ICANN Corporate Secretary, and the EC Administration on the GNSO website/wiki.

4.2.9 Supported GNSO Nominating Committee Director Removal Petition

If the GNSO receives support for its Petition from at least one (1) other Decisional Participant (hereinafter referred to as the “Supporting Decisional Participant”) within seven (7) days after the closure of the Petition Period, the GNSO-initiated Petition shall be known as a Nominating Committee Director Removal Supported Petition (hereinafter referred to as the “Supported Petition”).

Within twenty-four (24) hours of receiving this support, the GNSO Representative on the EC Administration shall inform the EC Administration, the GNSO Council, the other Decisional Participants, and the ICANN Corporate Secretary of having received the support required to proceed. The GNSO Secretariat will publish this information to the GNSO Stakeholder Group and Constituency mailing lists and on the GNSO website/wiki.

Additionally, the GNSO Representative on the EC will formally submit the Supported Petition to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary. This submission must conform to the requirements set forth in Annex D, Section 3.1(d)(i)(A-D) of the ICANN Bylaws and shall include the following:

- A supporting rationale in reasonable detail; and

- Contact information of the GNSO Representative on the EC Administration; and
- A statement as to whether a publicly available conference call prior to the Community Forum is requested; and
- A statement as to whether the Community Forum is to be held during the next scheduled ICANN public meeting.

4.2.10 No Support for GNSO Nominating Committee Director Removal Petition

If, at the end of the seventh (7th) day following the expiration of the Petition Period, no other Decisional Participant has expressed support for the GNSO Petition, the process ends.

The GNSO Representative on the EC shall notify the EC Administration of the lack of support for the Petition. Additionally, the GNSO Representative on the EC Administration shall inform the GNSO Council, the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary that the Petition cannot go forward due to a lack of requisite support from at least one (1) other Decisional Participant. The GNSO Secretariat will publish this information to the GNSO Stakeholder Group and Constituency mailing lists and on the GNSO website/wiki.

4.2.11 Timeline for the GNSO Actions regarding a Nominating Committee Director Removal Petition

The following timeline per the ICANN Bylaws may assist the GNSO Council in its actions as a Petitioning Decisional Participant with respect to the Petition.

Note:

- *Absolute maximum date means the absolute last day certain action must occur*
- *Day 0 = Nominating Committee Director Removal Petition Date*

Absolute Maximum Date	Action
Day 0	Nominating Committee Director Removal Petition Period starts - GNSO Council receives a Nominating Committee Director Removal Petition
Day 2	GNSO Council leadership determines whether a Nominating Committee Director Removal Petition addresses all requirements, and informs the Petitioner and Council (within 2 days of receipt of the Petition)
	If requirements are addressed, GNSO Secretariat invites the affected Director and the Chair of the Board of Directors (or the Vice Chair of the Board if the Chair is the affected Director) to a dialogue with the Petitioner and the GNSO Representative on the EC Administration
	GNSO Secretariat sends requests for feedback from GNSO Stakeholder Groups and Constituencies
	GNSO Secretariat schedules an extraordinary Meeting of the GNSO Council to occur no later than on Day 20
Day 10	Deadline for the invited parties to have a dialogue

Day 15	Deadline for GNSO Stakeholder Groups and Constituencies to provide feedback, if they wish to do so
Day 20	GNSO Council meets to decide whether to accept or reject the Nominating Committee Director Removal Petition
Day 21	<p>If Nominating Committee Director Removal Petition is accepted, the GNSO Representative on the EC Administration informs the EC Administration, other Decisional Participants, and the ICANN Corporate Secretary and invites the other Decisional Participants to support the GNSO Nominating Committee Director Removal Petition within twenty-four (24) hours of accepting the Petition</p> <p>(Note: Annex D, Section 3.1(c)(i) of the ICANN Bylaws requires that the Petition Notice be submitted within twenty-four (24) hours of Petitioning Decisional Participant's acceptance of the Petition. Day 21 is thus the absolute latest for submission of the Petition Notice. However, if the Petition is accepted prior to Day 20, the Petition Notice must be submitted within twenty-four (24) hours of the date of acceptance)</p> <p>Nominating Committee Director Removal Petition Period ends at 11:59 PM (as calculated by local time at the location of ICANN's principal office in Los Angeles)</p>
Day 28	<p>The other Decisional Participants decide whether to support GNSO's Nominating Committee Director Removal Petition</p> <p>Any Supporting Decisional Participant shall provide a written notice to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary within twenty-four (24) hours of providing support (Note: the content of the written notice from the Supporting Decisional Participant may be informed by Annex D, Section 3.1(d)(i)(A)-(D) of the ICANN Bylaws)</p> <p>(Note: Annex D, Section 3.1(d)(i) of the ICANN Bylaws requires that each Supporting Decisional Participant shall provide a written notice to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary within twenty-four (24) hours of providing support to the Nominating Committee Director Removal Petition. Day 28 is thus the absolute latest for submission of such written notice. However, if the Supporting Decisional Participant decides to provide support prior to Day 27, the Supporting Decisional Participant must submit the written notice within twenty-four (24) hours of the date of providing support)</p> <p>Nominating Committee Director Removal Petition Support Period ends at 11:59 PM (as calculated by local time at the location of ICANN's principal office in Los Angeles)</p>
Day 29	<p>If at least one (1) other Decisional Participant supports, the GNSO Representative on the EC Administration submits the Nominating Committee Director Removal Supported Petition in accordance with Annex D, Section 3.1(d)(i) of the ICANN Bylaws to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary within twenty-four (24) hours of receiving support</p> <p>(Note: Annex D, Section 3.1(d)(i) of the ICANN Bylaws requires that the Supported</p>

	Petition be submitted within twenty-four (24) hours of receipt of support from at least one (1) other Decisional Participant. Day 29 is thus the absolute latest for submission of the Supported Petition. However, if support is received from at least one (1) other Decisional Participant prior to Day 28, the Supported Petition must be submitted within twenty-four (24) hours of the date of receipt)
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4.3 Procedures for the GNSO Actions for Supporting a Nominating Committee Director Removal Petition Initiated by another Decisional Participant

This section of the Guideline details the procedures for when another Decisional Participant solicits the support of the GNSO for a Petition. The period to seek support ends at the seventh (7th) day following the Petition Period (twenty-eight (28) days after the Petition has been received). All references to “notices” and “notification” in this section mean written notice, either as formal correspondence or email.

4.3.1 Receipt and Publication of the Nominating Committee Director Removal Petition Notice from another Decisional Participant

Upon receipt of the Petition Notice from another Decisional Participant to support a Nominating Committee Director Removal Petition, the GNSO Representative on the EC Administration shall promptly notify the GNSO Council. The GNSO Secretariat will post the Petition Notice on the GNSO website/wiki, publish it on the mailing lists of GNSO Stakeholder Groups and Constituencies, and invite the Stakeholder Groups and Constituencies to provide feedback, opinions or comments in accordance with Section 4.3.3 below.

4.3.2 Scheduling of GNSO Council Meetings

Upon receipt of the Petition Notice, the GNSO Chair will schedule an extraordinary GNSO Council meeting to be held no later than the twenty-seventh (27th) day at 23:59 UTC after the Petition Date as specified in the Petition. The purpose of this meeting is for the GNSO Council to make a decision as to whether to support a Petition initiated by another Decisional Participant.

4.3.3 Solicitation of Community Feedback

During a three (3) day period directly following the receipt of the Petition Notice, GNSO Stakeholder Groups and Constituencies may provide their feedback, opinions or comments on the merits of the GNSO becoming a Nominating Committee Director Removal Supporting Decisional Participant.

When sending requests for feedback, the GNSO Secretariat may also post the recording and transcript, if available from the Petitioning Decisional Participant, of the dialogue regarding the Nominating Committee Director Removal per Annex D, Section 3.1(c) of the ICANN Bylaws, to the mailing lists of the GNSO Council, Stakeholder Groups, and Constituencies.

Immediately upon the conclusion of this community feedback solicitation period, the GNSO Council leadership will work with GNSO support staff to compile any comments received, and post the compilation of comments to the GNSO Council list. The GNSO Secretariat will promptly post the compilation of comments to the GNSO website/wiki. If feasible and time permits, the GNSO Council leadership may work with GNSO support staff to categorize and summarize these comments to facilitate the review by the GNSO Council..

4.3.4 GNSO Council Decision with Respect to Becoming a Nominating Committee Director Removal Supporting Decisional Participant

The GNSO Council shall convene either in person or via tele-conference no later than the twenty seventh (27th) day at 23:59 UTC from the Petition Date to decide whether to support the Petition initiated by another Decisional Participant.

In accordance with Section 11.3(j)(v) of the ICANN Bylaws, the decision shall be made by a GNSO Council Supermajority vote, which means: (A) two-thirds (2/3) of the Council members of each House, or (B) three-fourths (3/4) of the Council members of one House and a majority of the Council members of the other House.

In making its decision, the GNSO Council shall consider:

- The rationale for the Petition as noted in the Petition Notice; and
- Whether the dialogue between the required parties, in accordance with Annex D, Section 3.1(c) of the ICANN Bylaws, has occurred (note that per Annex D, Section 3.1(c) of ICANN Bylaws “The Nominating Committee Director Removal Petition may not be accepted unless this invitation has been extended upon reasonable notice and accommodation to the affected Director's availability”); and
- If the dialogue has occurred, the feedback, views, and input exchanged during the dialogue; and
- If the dialogue has not occurred, whether there have been reasonable efforts among all invited parties to participate in the dialogue (note that per Annex D, Section 3.1(c) of ICANN Bylaws “If the invitation is accepted by either the Director who is the subject of the Nominating Committee Director Removal Petition or the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director), the Nominating Committee Director Removal Petitioned Decisional Participant shall not accept the Nominating Committee Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the dialogue”); and
- The feedback, views, and input received from the GNSO Stakeholder Groups and Constituencies regarding the Petition; and
- The importance of the matter for the GNSO Stakeholder Groups and Constituencies; and
- Other factors deemed relevant by the GNSO Council.

If the GNSO Council supports the Petition from another Decisional Participant, it shall decide, in accordance with the ICANN Bylaws (Annex D, Section 3.1(d)(i)(C-D)):

- Whether to request ICANN to hold a publicly available conference call prior to the Nominating Committee Director Removal Community Forum; and
- Whether to request that ICANN hold the Community Forum during the next scheduled ICANN public meeting.

The motion template in Section 6.2 of this Guideline (Motion to Accept/Reject a Nominating Committee Director Removal Petition Initiated by Another Decisional Participant) may be used by the GNSO Council to approve or reject a Petition initiated by another Decisional Participant.

If the GNSO Council has not reached a decision with respect to a Petition initiated by another Decisional Participant by the end of the twenty-seventh (27th) day of the Petition Period, the GNSO will be deemed to have rejected the proposed Petition.

The GNSO Secretariat will inform the Stakeholder Groups and Constituencies of the GNSO Council's decisions accordingly, via the GNSO Council and the Stakeholder Group and Constituency mailing lists, as well as publish this on the GNSO website/wiki. Additionally, the GNSO Secretariat will inform the GNSO Representative on the EC Administration.

4.3.5 Notification to ICANN, the other Decisional Participants, and the EC Administration

Within twenty four (24) hours of the GNSO Council's decision to become a Supporting Decisional Participant, the GNSO Representative on the EC Administration shall by written notice inform the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary of the GNSO Council's decision.

In accordance with Annex D, Section 3.1(d)(i)(A)-(D) of the ICANN Bylaws, the notice shall include the following:

- A supporting rationale in reasonable detail; and
- Contact information of the GNSO Representative on the EC Administration; and
- A statement as to whether a publicly available conference call prior to the Community Forum is requested; and
- A statement as to whether the Community Forum is to be held during the next scheduled ICANN public meeting.

The GNSO Secretariat will post all correspondence between the GNSO Representative on the EC Administration and other Decisional Participants, the ICANN Corporate Secretary, and the EC Administration on the GNSO website/wiki.

4.3.6 Timeline for the GNSO Actions regarding a Nominating Committee Director Removal Petition Initiated by Another Decisional Participant

The following timeline per the ICANN Bylaws may assist the GNSO in its actions as a Supporting Decisional Participant.

Note:

- *Absolute maximum date means the absolute last day certain action must occur*
- *Day 0 = Nominating Committee Director Removal Petition Date*

Absolute Maximum Date	Action
Day 0	Nominating Committee Director Removal Petition Period starts - Another Decisional Participant receives a Nominating Committee Director Removal Petition
Day 21	GNSO receives the Nominating Committee Director Removal Petition Notice from another Decisional Participant
	GNSO Secretariat schedules an extraordinary Meeting of the GNSO Council to occur no later than Day 27
	Nominating Committee Director Removal Petition Period ends at 11:59 PM (as calculated by local time at the location of ICANN's principal office in Los Angeles)
Day 24	GNSO Stakeholder Groups and Constituencies submit feedback, if they wish to do so (within 3 days of receipt of the Nominating Committee Director Removal Petition Notice)
Day 27	GNSO Council meets to decide whether to support another Decisional Participant's Nominating Committee Director Removal Petition
	GNSO Secretariat informs the Stakeholder Groups and Constituencies, as well as the GNSO Representative on the EC Administration, of the Council's decision and publishes it on the GNSO website/wiki
Day 28	If the GNSO Council supports the Petition, the GNSO Representative on the EC Administration informs the EC Administration, other Decisional Participants, and the ICANN Corporate Secretary of the GNSO Council's decision by providing a written notice within twenty-four (24) hours of providing support (Note: the content of the written notice from the Supporting Decisional Participant may be informed by Annex D, Section 3.1(d)(i)(A)-(D) of the ICANN Bylaws)
	(Note: Annex D, Section 3.1(d)(i) of the ICANN Bylaws requires that each Supporting Decisional Participant shall provide a written notice within twenty-four (24) hours of providing support to the Petition. Day 28 is thus the absolute latest for submission of the written notice. However, if the GNSO decides to support the Petition prior to Day 27, the written notice must be submitted within twenty-four (24) hours of the date of the decision)
	Nominating Committee Director Removal Petition Support Period ends at 11:59 PM (as calculated by local time at the location of ICANN's principal office in Los Angeles)

5. Developing Input to the Nominating Committee Director Removal Community Forum & Post Community Forum Decision Making

5.1 Nominating Committee Director Removal Community Forum

Immediately following the ICANN announcement of convening the Nominating Committee Director Removal Community Forum, the GNSO Representative on the EC Administration shall inform the GNSO Council on the details of the Community Forum.

The GNSO Secretariat will post the notice of the Community Forum on the GNSO website/wiki, publish it on the mailing lists of GNSO Stakeholder Groups and Constituencies, and inform GNSO Stakeholder Groups and Constituencies the start of the GNSO Community Feedback period before the Community Forum per Section 5.2.1 below.

5.2 GNSO Community Feedback

5.2.1 GNSO Community Feedback Before Nominating Committee Director Removal Community Forum

Upon the expiration of the Petition Support Period, the GNSO Representative on the EC Administration shall request the GNSO Council to prepare the GNSO Community Feedback to the Community Forum.

The GNSO Community Feedback should be developed through input/feedback from the GNSO Stakeholder Groups and Constituencies to record any GNSO views and questions on the Supported Petition. This feedback period will close at 23:59 UTC on the day prior to the Community Forum. The GNSO Council leadership will work with GNSO support staff to compile any views and questions received, and post the compilation to the GNSO Council list. The GNSO Secretariat will promptly post the compilation to the GNSO website/wiki. Note, however, that this feedback period does not preclude GNSO Stakeholder Groups and Constituencies from submitting views and questions on the Supported Petition in writing during the Community Forum.

The GNSO Council will ask the GNSO Representative on the EC Administration to transmit to the EC Administration and the ICANN Corporate Secretary the GNSO Community Feedback in writing prior to the convening of and during the Community Forum as per Annex D, Section 3.1(e)(v) of the ICANN Bylaws.

5.2.2 GNSO Community Feedback After Nominating Committee Director Removal Community Forum

Upon the expiration of the Community Forum Period, the GNSO Stakeholder Groups and Constituencies will be asked to provide feedback, opinions or comments on their support for, objection to, or abstention from the Supported Petition under consideration. This feedback period will close on the fifteenth (15th) day into the Nominating Committee Director Removal Decision Period (hereinafter referred to as the “Decision Period”). This date is represented in the timeline set out in the table in Section 5.5 below as Day 15.

The GNSO Council leadership will work with GNSO support staff to compile any comments received, and post the compilation of comments to the GNSO Council list. The GNSO Secretariat will promptly post the compilation of comments to the GNSO website/wiki. If feasible and time permits, the GNSO Council leadership may work with GNSO support staff to categorize and summarize these comments to facilitate the review by the GNSO Council.

5.3 GNSO Council Decision to Support, Object to or Abstain from the Nominating Committee Director Removal

Annex D, Section 3.1(f) of the ICANN Bylaws states (as excerpted from the Bylaws):

(f) Following the expiration of the Nominating Committee Director Removal Community Forum Period, at any time or date prior to 11:59 p.m. (as calculated by local time at the location of ICANN's principal office in Los Angeles) on the 21st day after the expiration of the Nominating Committee Director Removal Community Forum Period (such period, the "Nominating Committee Director Removal Decision Period"), each Decisional Participant shall inform the EC Administration in writing as to whether such Decisional Participant (i) supports such Nominating Committee Director Removal Supported Petition, (ii) objects to such Nominating Committee Director Removal Supported Petition or (iii) has determined to abstain from the matter (which shall not count as supporting or objecting to the Nominating Committee Director Removal Supported Petition), and each Decisional Participant shall forward such notice to the Secretary for ICANN to promptly post on the Website. If a Decisional Participant does not inform the EC Administration of any of the foregoing prior to the expiration of the Nominating Committee Director Removal Decision Period, the Decisional Participant shall be deemed to have abstained from the matter (even if such Decisional Participant informs the EC Administration of its support or objection following the expiration of the Nominating Committee Director Removal Decision Period).

Accordingly, the GNSO has added a new voting threshold in the ICANN Bylaws. Section 11.3(j)(vi) of the ICANN Bylaws states (as excerpted from the Bylaws):

(vi) Approval of a Nominating Committee Director Removal Supported Petition as contemplated in Annex D, Article 3, Section 3.1(f): requires an affirmative vote of a GNSO Supermajority

Per above Section 11.3(j)(vi), the GNSO Council must decide and inform the EC Administration of its decision within twenty-one (21) days after the expiration of the Community Forum whether to support, object to, or abstain from the Supported Petition by affirmative vote of a GNSO Supermajority. This date is represented in the timeline set out in the table in Section 5.5 below as Day 21.

The GNSO Council shall:

- Take a decision via a Supermajority vote -- which means: (A) two-thirds (2/3) of the Council members of each House, or (B) three-fourths (3/4) of the Council members of one House and a majority of the Council members of the other House (according to Section 11.3(i) of the ICANN Bylaws) -- on a motion whether to support, object to, or abstain from the Supported Petition; and
- Convey this decision in writing to the EC Administration and the ICANN Corporate Secretary by the GNSO Representative on the EC Administration.

In taking its decision, the GNSO Council shall consider:

- The feedback, views and input received from the GNSO Stakeholder Groups and Constituencies; and
- The Community Forum; and
- The importance of the matter for the GNSO Stakeholder Groups and Constituencies; and
- Other factors deemed relevant by the GNSO Council.

The motion template in Section 6.3 of this Guideline (Motion to Support, Objection to, or Abstain from a Nominating Committee Director Removal) may be used by the GNSO Council to accept/reject/abstain from the Supported Petition.

5.4 Informing the Community, Other Decisional Participants, and the EC Administration of the Decision regarding the Nominating Committee Director Removal

As soon as possible after the GNSO Council has taken its decision on the Nominating Committee Director Removal, the GNSO Secretariat will publish the GNSO Council's decision on the mailing lists of the GNSO Council and Stakeholder Groups and Constituencies, as well as the GNSO website/wiki. Additionally, the GNSO Secretariat will inform the GNSO Representative on the EC Administration.

The GNSO Representative on the EC Administration by written notice shall promptly inform the EC Administration and the ICANN Corporate Secretary of the GNSO Council's decision.

If the GNSO Council has not reached a decision regarding the removal of the affected Director, the GNSO Council will be deemed to have abstained from the Supported Petition.

5.5 Timeline for the GNSO Actions Regarding a Nominating Committee Director Removal

The following is a suggested timeline to ensure that the GNSO Council is able to complete the above activities related to a Nominating Committee Director Removal Supported Petition per the Bylaws-mandated deadline. If the GNSO Council is unable to complete the activities per deadline, its decision will automatically be recorded as an abstention.

Note:

- *Absolute maximum date means the absolute last day certain action must occur*
- *Day 0 = Expiration of the Nominating Committee Director Removal Community Forum*

Absolute Maximum Date	Action
Day 0	Expiration of the Nominating Committee Director Removal Community Forum
	GNSO Secretariat requests feedback from GNSO Stakeholder Groups and Constituencies
Day 6	GNSO Secretariat schedules an extraordinary Meeting of the GNSO Council to occur within 14 days
Day 15	Deadline for GNSO Stakeholder Groups and Constituencies to provide feedback
Day 20	Extraordinary Meeting of the GNSO Council to decide whether to support, object to, or abstain from the Nominating Committee Director Removal Supported Petition
	GNSO Secretariat informs the Stakeholder Groups and Constituencies, as well as the GNSO Representative on the EC Administration, of the Council's decision and publishes it on the GNSO website/wiki
Day 21	GNSO Representative on the EC Administration promptly conveys GNSO Council's decision to the EC Administration and the ICANN Corporate Secretary
	Deadline for decision by Decisional Participants to the EC to decide whether to support, object to, or abstain from the Nominating Committee Director Removal
	Nominating Committee Director Removal Decision Period ends at 11:59 (as calculated by local time at the location of ICANN's principal office in Los Angeles)

6. Motion Templates

6.1 Motion to Accept/Reject a Nominating Committee Director Removal Petition

<p>Made by:</p> <p>Seconded by:</p> <p>Whereas:</p> <p>1. Per <u>Section 3.1(a)</u> of <u>Annex D</u> of the ICANN Bylaws, "Subject to the procedures and requirements developed by the applicable Decisional Participant, an individual may submit a petition to a Decisional Participant, seeking to remove a Director holding any one of Board</p>

Seats 1 through 8 and initiate the Nominating Committee Director Removal Process ('Nominating Committee Director Removal Petition')."

2. Per Section 3.1(a) of Annex D, "Each Nominating Committee Director Removal Petition shall set forth the rationale upon which such individual seeks to remove the affected Director."

3. Per Section 3.1(b) of Annex D, "During the period beginning on the date that the Decisional Participant received the Nominating Committee Director Removal Petition ('Nominating Committee Director Removal Petition Date') and ending on the 21st day after the Nominating Committee Director Removal Petition Date (the 'Nominating Committee Director Removal Petition Period'), the Decisional Participant that has received a Nominating Committee Director Removal Petition shall either accept or reject such Nominating Committee Director Removal Petition."

4. Per Section 3.1(b) of Annex D, "The Nominating Committee Director Removal Petitioned Decisional Participant shall not accept a Nominating Committee Director Removal Petition if, during the same term, the Director who is the subject of such Nominating Committee Director Removal Petition had previously been subject to a Nominating Committee Director Removal Petition that led to a Nominating Committee Director Removal Community Forum."

5. Per Section 3.1(c) of Annex D, "During the Nominating Committee Director Removal Petition Period, the Nominating Committee Director Removal Petitioned Decisional Participant shall invite the affected Director 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 Nominating Committee Director Removal Petition and the Nominating Committee Director Removal Petitioned Decisional Participant's representative on the EC Administration."

6. Per Section 3.1(c) of Annex D, "The Nominating Committee 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 affected Director or the Chair of the Board (or the Vice Chair of the Board if the Chair is the affected Director), the Nominating Committee Director Removal Petitioned Decisional Participant shall not accept the Nominating Committee Director Removal Petition until the dialogue has occurred or there have been reasonable efforts to have the dialogue."

7. Per Section 3.1(d) of Annex D, "Following the delivery of a Nominating Committee Director Removal Petition Notice to the EC Administration, the Nominating Committee Director Removal Petitioning Decisional Participant shall contact the EC Administration and the other Decisional Participants to determine whether any other Decisional Participants support the Nominating Committee Director Removal Petition."

8. The GNSO Council may waive the timeframes currently referenced in the GNSO Operating Procedures in relation to submission of motions with regard to a Nominating Committee Director Removal Petition as well as scheduling of meetings to meet its obligations under the timelines outlined in the ICANN Bylaws.

9. All Nominating Committee Director Removal Petitions submitted by an individual must be submitted to the GNSO Council.

10. On [date], [insert Petitioner's name] submitted a Nominating Committee Director Removal Petition to the GNSO Council during the Nominating Committee 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]. [Insert affected Director's name], during the same term, had NOT previously been subject to a Nominating Committee Director Removal Petition that led to a Nominating Committee Director Removal Community Forum.

11. This Nominating Committee Director Removal Petition includes the rationale upon which the removal of [insert affected Director's name] is sought.

12. On [insert date when the invitation to a dialogue has been extended], the GNSO invited [insert affected Director's name] and [insert name and title of the Board Chair, or the Board Vice Chair if the Chair is the affected Director] to a dialogue with [insert Petitioner's name] bringing the Nominating Committee Director Removal Petition and [insert name and title of the GNSO 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]. See the recording and transcript here [insert link].

13. From [insert dates of GNSO community feedback period], the GNSO Stakeholder Groups and Constituencies had the opportunity to provide feedback, opinions or comments on the merits of the Nominating Committee Director Removal Petition. GNSO support staff's compilation of any feedback received is available here [insert link].

Resolved:

1. The GNSO Council determines to [accept] [reject] such Nominating Committee Director Removal Petition.

2. [If the GNSO Council accepts a Nominating Committee Director Removal Petition] The GNSO Council requests that the GNSO Secretariat (a) publish the GNSO Council decision on the GNSO website/wiki, (b) inform the Stakeholder Groups and Constituencies accordingly via their mailing lists, and (c) inform the GNSO Representative on the EC Administration.

3. The GNSO Council requests the GNSO Representative on the EC Administration to provide to the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary written Nominating Committee Director Removal Petition Notice of such acceptance within twenty-four (24) hours, providing all requested information per Annex D, Section 3.1(c)(i) of the ICANN Bylaws. The GNSO Council also requests the GNSO Representative on the EC Administration to contact other Decisional Participants to determine whether any other Decisional Participants support the Nominating Committee Director Removal Petition.
4. The GNSO Council appoints [insert name], as the GNSO Representative on the EC Administration, to be its liaison with respect to the Nominating Committee Director Removal Supported Petition, should at least one (1) other Decisional Participant provides support to the Petition during the Nominating Committee Director Removal Petition Support Period.
5. Should at least one (1) other Decisional Participant provides support to the Petition during the Nominating Committee Director Removal Petition Support Period, the GNSO 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 Supported Petition, and (b) a publicly-available conference call prior to the Nominating Committee Director Removal Community Forum.
6. Should at least one (1) other Decisional Participant provides support to the Petition during the Nominating Committee Director Removal Petition Support Period, the GNSO Council requests the GNSO Representative on the EC Administration to provide all requested information within twenty-four (24) hours per Annex D, Section 3.1(d)(i)(A-D) of the ICANN Bylaws to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary.

6.2 Motion to Accept/Reject a Nominating Committee Director Removal Petition Initiated by Another Decisional Participant

Made by:

Seconded by:

Whereas:

1. Per Section 3.1(d)(i) of Annex D of the ICANN Bylaws, "If the Nominating Committee Director Removal Petitioning Decisional Participant obtains the support of at least one (1) other Decisional Participant, the Nominating Committee Director Removal Petitioning Decisional Participant shall provide a written notice ('Nominating Committee Director Removal Supported Petition') of receiving the support of at least one (1) Nominating Committee

Director Removal Supporting Decisional Participant. Each Nominating Committee Director Removal Supporting Decisional Participant shall provide a written notice to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary within twenty-four (24) hours of providing support to the Nominating Committee Director Removal Petition.”

2. Per Section 3.1(d)(i)(A)-(D) of Annex D, “Such Nominating Committee Director Removal Supported Petition shall include: (A) a supporting rationale in reasonable detail; (B) contact information for at least one representative who has been designated by the Nominating Committee Director Removal Petitioning Decisional Participant who shall act as a liaison with respect to the Nominating Committee Director Removal Supported Petition; (C) a statement as to whether or not the Nominating Committee Director Removal Petitioning Decisional Participant and/or the Nominating Committee Director Removal Supporting Decisional Participant requests that ICANN organize a publicly-available conference call prior to the Nominating Committee Director Removal Community Forum (as defined in Section 3.1(e) of this Annex D) for the community to discuss the Nominating Committee Director Removal Supported Petition; and (D) a statement as to whether the Nominating Committee Director Removal Petitioning Decisional Participant and the Nominating Committee Director Removal Supporting Decisional Participant have determined to hold the Nominating Committee Director Removal Community Forum during the next scheduled ICANN public meeting.”

3. The GNSO has received the Nominating Committee Director Removal Petition Notice from [insert Nominating Committee Director Removal Petitioning Decisional Participant] of a Nominating Committee Director Removal Petition. [insert Nominating Committee Director Removal Petitioning Decisional Participant] contacted the EC Administration and the other Decisional Participants to seek support for the Nominating Committee Director Removal Petition.

4. From [insert dates of GNSO community feedback period], the GNSO Stakeholder Groups and Constituencies had the opportunity to provide feedback, opinions or comments on the merits of the Nominating Committee Director Removal Petition. GNSO support staff’s compilation of any feedback received is available here [insert link].

Resolved:

1. The GNSO Council determines to [become] [not become] a Nominating Committee Director Removal Supporting Decisional Participant for the Nominating Committee Director Removal Petition initiated by [insert Nominating Committee Director Removal Petitioning Decisional Participant].

2. The GNSO 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 Supported Petition, and (b) a publicly-available conference call prior to the Nominating Committee Director Removal Community Forum.

3. The GNSO Council requests the GNSO Representative on the EC Administration to provide a written notice within twenty-four (24) hours to the EC Administration, the other Decisional Participants and the ICANN Corporate Secretary of providing support to the Nominating Committee Director Removal Petition. The written notice shall provide all requested information per Annex D, Section 3.1(d)(i)(A)-(D) of the ICANN Bylaws.

6.3 Motion to Support, Objection to, or Abstain from a Nominating Committee Director Removal

Made by:

Seconded by:

Whereas:

1. Per Section 3.1(f) of Annex D of the ICANN Bylaws, “Following the expiration of the Nominating Committee Director Removal Community Forum Period, at any time or date prior to 11:59 p.m. (as calculated by local time at the location of ICANN’s principal office in Los Angeles) on the 21st day after the expiration of the Nominating Committee Director Removal Community Forum Period, each Decisional Participant shall inform the EC Administration in writing as to whether such Decisional Participant (i) supports such Nominating Committee Director Removal Supported Petition, (ii) objects to such Nominating Committee Director Removal Supported Petition or (iii) has determined to abstain from the matter, and each Decisional Participant shall forward such notice to the Secretary for ICANN to promptly post on the Website. If a Decisional Participant does not inform the EC Administration of any of the foregoing prior to the expiration of the Nominating Committee Director Removal Decision Period, the Decisional Participant shall be deemed to have abstained from the matter (even if such Decisional Participant informs the EC Administration of its support or objection following the expiration of the Nominating Committee Director Removal Decision Period).”

2. From [insert dates of GNSO community feedback period], the GNSO Stakeholder Groups and Constituencies provided feedback, opinions or comments on the merits of the Nominating Committee Director Removal Supported Petition. See GNSO support staff’s summary here [insert link].

Resolved:

1. The GNSO Council [supports] [objects to] [abstains from] the Nominating Committee Director Removal Supported Petition.

2. The GNSO Council requests the GNSO Representative on the EC Administration to promptly inform the EC Administration, the other Decisional Participants, and the ICANN Corporate Secretary about the GNSO Council's decision with respect to the Nominating Committee Director Removal Supported Petition.