

## Commercial Stakeholders Group Transitional Charter v6

### **1. Mission of the Commercial Stakeholders Group**

The mission of the Commercial Stakeholders Group, hereafter “the CSG”, is to ensure that:

1.1 the CSG represents the views of users and connectivity providers;

1.2 ICANN policy and ICANN contracts are consistent with the development of an Internet that is a safe place for business-to-business and business-to-consumer transactions and communications to take place based on high levels of business, user and consumer confidence.

**1.3 Principles for Leaders and Member Constituencies.** The CSG is committed to:

1.2.1 Carrying out its mission in a fair, open, and transparent manner and ensuring that new participants and Constituencies (a) are treated on a fair and equitable basis, and (b) can readily access and understand its operations and processes;

1.2.2 Service standards for leadership positions including impartiality, accountability, and avoidance of conflicts of interest; and

1.2.3. Behavioral expectations of all CSG Members, including without limitation: adhering to ICANN Bylaws/Policies; supporting the bottom-up consensus model; treating others with dignity, respect, courtesy, and civility; listening attentively and seeking to and understand others; acting with honesty, sincerity, and integrity; and maintaining community good standing.

### **2. Purpose of the Transitional Charter**

The purpose of the Transitional Charter is to coordinate the seating of six CSG representatives to the GNSO Council by June 2009, and to establish the mechanism for overseeing the creation of a Final Charter.

### **3. Term of the Transitional Charter**

The term of the Transitional Charter shall be from the date of its approval by the Recognized Constituencies until 31 May 2010 (the “Initial Term”).

### **4. Membership of the CSG**

4.1 Membership shall be open to the following constituencies as recognised in article X of the ICANN by-laws of 29 May 2008 (the “Recognised Constituencies”):

- Internet Service and Connectivity Providers (representing all entities providing Internet service and connectivity to Internet users);
- Commercial and Business Users (representing both large and small commercial entity users of the Internet);

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- Intellectual Property Interests (representing the full range of trademark and other intellectual property interests relating to the DNS).

4.2 Membership shall also be open to any additional constituency recognised by ICANN's Board under its by-laws, provided that such constituency, as determined by the unanimous consent of the signatories to this charter, is representative of commercial user interests which for the purposes of definition are distinct from and exclude registry and prospective registry, registrar, re-seller or other domain name supplier interests.

### **5. Fees in the Initial Term**

During the Initial Term there will be no fees required for membership in the CSG.

### **6. Policy development in the Initial Term**

During the Initial Term all policy development will remain at the constituency level. . The existing processes and procedures of each recognised constituency will continue to apply.

### **7. Executive Committee**

Each Recognised Constituency shall appoint one person and one alternate to an executive committee of the CSG ("the Executive Committee") no later than 15 (fifteen) days after approval by the Recognized Constituency. Appointees to the Executive Committee shall serve for an annual renewable term, or until such term is superseded by the adoption of a Final Charter.

### **8. Role of the Executive Committee**

The Executive Committee shall act as a liaison between the CSG and ICANN, and the CSG and its constituencies, as required on stakeholder-group matters, and shall perform the following functions:

8.1 ensure that the Recognised Constituencies adopt procedures to select two representatives each, from different geographic regions [Comment: Geographic diversity should be rationalized at the SG level such that not more than x of the 6 Councilors should come from the same region to the GNSO Council];

8.2 create a consensus process for a Final CSG Charter (the "Final Charter") for adoption no later than 31 May 2010;

8.3 provide advice on request to the member constituencies on the adaption or creation of any constituency-based charter, in order to ensure compliance with this Transitional Charter and any Final Charter.

### **9. The Final Charter Process**

The process to develop a Final Charter shall consider a number of additional matters.

- The cost-benefit of continued participation in ICANN.
- The best practices of the Recognised Constituencies.
- The creation of new constituencies.
- A part-time professional secretariat.
- A unified web-site with both common elements and distinct components to represent the breadth and diversity of interests of the member constituencies.

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- The selection of the CSG's six members to the 21 member GNSO Council will take geographical and constituency diversity into account as far as is feasible bearing in mind that the ICANN Board has directed that the number of representatives from commercial stakeholders must be reduced by one-third by June 2009 from historic levels, whereas all other GNSO stakeholder groups have either remained constant or doubled in size.
- The need for fees at the level of the CSG.
- The need for policy development at the level of the CSG.
- The need for direct membership at the level of the CSG [Comment: In the non-contracted party house, membership will be at the Constituency level-not SG]
- ICANN staff support-needs, benefits, expectations
- The dynamics of constituency to CSG relations as a consequence of all the above.

Done on February 28, 2009