NCUC Operating Procedures:

In accordance with the Noncommercial Users Constituency (NCUC) Bylaws,[1] the Executive Committee (EC) is tasked with issuing internal Operating Procedures about its various actions, functions, and responsibilities. There are also some ad hoc, customary processes that needed to be documented. This document establishes the NCUC Operating Procedures. It has been approved by the executive committee of NCUC on 12 September 2017. It can be revised and amended following the procedure laid out in this document.

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[1] This task is mentioned in section IV(F)(2) of the current bylaws. See: https://www.ncuc.org/bylaws/.

I. Procedure on Developing Policy Statements and Public Comments

A. Public Comments

1. The primary focus of the NCUC Policy Committee (NCUC PC) is to establish and develop NCUC policy positions and draft comments, letters, and other communication regarding ICANN policy issues. This must be done in collaboration with the NCUC Executive Committee (NCUC EC). If the NCUC PC is not formed, the NCUC EC shall perform the functions of the NCUC PC until it is convened. The NCUC EC should communicate upcoming opportunities for public comment that relate to ICANN processes related to GNSO PDP and others to the NCUC-Discuss list. If there is interest in responding to a public comment, the following procedures will be followed:

2. **The following timeline** refers to the typical 41-day period for public comments. This timeline should be captured using the NCUC communication platforms (such as the NCUC website,[2] NCUC Discuss mailing list,[3] NCUC Wiki,[4] and Trello), and through periodic email updates sent to the NCUC-DISCUSS list. These emails can be configured to be sent on certain times/dates. Prior to the first day of the public comment period, requests for public comment from NCUC members are to be announced to the list along with this documentation of process. A NCUC EC or an NCUC appointee of NCSG PC should be tasked with putting this in the Trello and scheduling the emails to the NCUC-DISCUSS list.

   a. Day 1-4: An email to the NCUC-DISCUSS list should be sent announcing the beginning of the comment period and links to the working document will be circulated.

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[2] https://www.ncuc.org/.
[3] http://lists.ncuc.org/cgi-bin/mailman/listinfo/ncuc-discuss.
[4] https://community.icann.org/display/gnsononcomuserconst/NCUC-Home.

b. <u>Day 5: The</u> NCSG PC (or NCUC-appointed PC member) should prioritise the public comment. When a public comment is considered high-priority for the NCUC, the PC should make an additional call for volunteers explaining why the comment is critical and providing an appropriate level of context.

c. <u>Day 6-7:</u> NCUC PC should appoint a penholder to develop an initial draft that outlines the issues of critical importance to the NCUC.

d. <u>Day 7-8:</u> If there is substantial interest (more than 8 members on the list express interest), NCUC PC should schedule a webinar and announce the date on the mailing list. In this case, a follow-up email will be sent reminding the NCUC-DISCUSS list of the comment period (this should include a timeline, background documents, and the link to the working document. This email will be pre-scheduled by staff support).

e. Day 8-21: Penholder works on drafting the document on the publicly shared document and arranges the webinar with staff if necessary. Other members can help with this process too.

f. <u>Day 21</u>: First draft of the comment should be done and published by the penholder on the NCUC-DISCUSS mailing list. NCUC members should comment on the current draft via email. Members are given 5 days to comment.

g. <u>Day 21-26:</u> After the penholder resolves members' comments and addresses the objections, the second draft should be made available for comment via the NCUC-DISCUSS mailing list. Another optional webinar can be suggested, if it is deemed necessary by either the penholder or the chair, based on the number or importance of issues raised by the members. During this period, the penholder should work to resolve any concerns to reach consensus. PC members should also be involved in the drafting of the comment to address any objections and provide compromise and textual changes.

h. <u>Day 26-30</u>: Final call for consensus using the NCUC-DISCUSS list should be initiated by NCUC EC or PC chair(s). Members have the opportunity to raise objections in this period. PC has also to evaluate consensus and address comments.

i. <u>Day 30-35</u>: NCUC PC has to evaluate the consensus and resolve, if possible, any remaining concerns or comments raised by PC members. On day 30 PC announces whether there is consensus. If there is no consensus, PC should try reach consensus by modifying the text as much as possible. After this period, suggested edits will not be accepted.

j. <u>Day 35-40</u>: the comment has to be submitted to both the NCSG PC for their consideration and to the Public Comment forum. A minority dissent statement can be also filed. The final submission should be done by the NCUC chair unless they have delegated their authority over this matter to another NCUC member ahead of time.

k. This timeline is only indicative and not compulsory to follow. Notwithstanding, there may come times when comments cannot follow this extensive and well-developed timeline. In these events, and particularly when the public comments drafts adhere to well-known positions of the NCUC developed over many years, the Comments may be submitted to ICANN by majority vote of the PC or in accordance to the fast track procedure for issuing statements (see section B).

3. Any NCUC member can independently submit a public comment in their individual capacity. The penholder can also receive endorsements on the initially drafted public comment from NCUC members and submit the comment with the endorsements if it is not approved by the PC or EC.

4. Best practices for the penholder and PC
   a. Provide the first draft on the NCUC-DISCUSS mailing list in accordance to the timeline.
   b. Try to resolve the comments throughout the duration of comment period.
   c. Make sure that the commenter has seen how comment has been resolved (contact them directly if necessary).

d. Send reminders and, if applicable, updates related to the draft.
e. Try to provide a consensus document,NCUC members can file minority statement or an individual statement later.
f. Find the common ground prior to developing a final comment.

B. Procedures for issuing statements

For other statements that are not formal ICANN public comments, the timeline is shortened. A "fast-track" option includes the following <u>main milestones</u>:

1. The NCUC Policy Committee (NCUC PC) is tasked with identifying a penholder who is in charge of drafting the statement.
2. The penholder or the PC Chair to consult the NCUC-Discuss list, and circulate the draft and request feedback.
3. Publish a clear deadline to evaluate the consensus (in urgent cases it can be a 12 hour deadline if during ICANN meetings and 24 hours if outside of ICANN meeting, subject to the decision of the NCUC Chair or the Policy Chair if policy committee is in existence).
4. Re-send the draft to NCUC members via the NCUC-Discuss list.
5. The PC Chair or the Constituency Chair should submit the statement. If non available and the provisions of this section been observed, the penholder can submit the public comment.
6. If there is lack of participation on the NCUC PC list, and the circumstances are urgent and require immediate action, the NCUC PC Chair (or the constituency chair) makes the final decision to proceed with submission of the statement.
7. If the statement has to be issued urgently, the lead penholder of the statement will contact the NCUC-Discuss mailing list and the Chair of PC or NCUC. At least 3 members should comment on the statement. The statement will be then submitted to NCUC EC or PC (if PC is not in existence it will be sent to EC). If passed by the majority of votes, then it can be issued on the same day by the penholder or the NCUC Chair.

II. Appointments

The list of appointments by the NCUC EC is as follows: NCSG Executive Committee (2 NCUC members), NCSG Policy Committee (2 NCUC members), NCSG Finance Committee (1 member), Representative of Public Internet Registry (PIR) Advisory Council (1 member; the NCUC Chair, unless the NCUC EC decides to issue an open call), Nominating Committee Representative (NomCom) (1 member). This list is not exhaustive and at times the EC may have to appoint members to other positions.

A. Call for candidates announcement

The call for candidates must contain the following details:
1. The position and the current holder of the position (if applicable);
2. The nature of the position (advisory or decision-making) what it does for NCUC, and its importance;
3. The call for the position should outline the process for selection and deliberation;
4. The candidates required qualifications and the selection criteria;
5. The process by which the candidates will be evaluated and selected;
6. The date of the announcement of the result;
7. The announcement should be drafted and approved by the EC and published by the NCUC Chair on the NCUC-Discuss mailing list;
8. The announcement should be sent via all the 5 regional mailing lists by the respective EC members; and
9. The candidate must submit to the GNSO Secretariat, and keep updated, their Statement of Interest (SoI).

B. Candidates required qualifications (in addition to the requirements stated in the bylaws)

1. General requirements:
It is desirable for the candidate to have led at least one public comment effort at the NCUC or NCSG level, and be an active member in one or more Working Groups (WG) within ICANN or generally been contributing by being involved with outreach and NCUC events. The active status of the member should be

verified based on contribution to mailing lists or Working Group transcripts. The EC can also request references from other active members.

2. Nomcom:
   a. Strong network and Internet governance experience inside and outside of ICANN.
   b. Be knowledgeable about the function of boards and directors in general and at ICANN.
   c. It is desirable that the person has previously served in leadership roles within the NCUC or NCSG (including but not limited to NCUC EC representative, Chair, GNSO Councilor, leader of a WG).
   d. Meet the additional criteria identified by the NomCom in its call for members.

3. NCSG Executive Committee:
   a. Understanding of NCSG and NCUC governance structure and the importance of the role, and proven interest in NCSG issues (this might include helping formulate public comments, consistent attendance in GNSO Working Groups, and other policy activities).
   b. Experience or proven interest in drafting and interpreting procedural and organizational texts.
   c. Thorough understanding of the provisions within NCSG's Charter and their application in practice.
   d. Appreciation for safeguarding NCSG's "noncommercial" nature in its membership and mission.

4. PIR Representative:
   a. Had served in a leadership position within the NCSG or NCUC in the past (former or current GNSO Councillors, Chairs of NCUC, EC members, NCUC-appointees, PC members).
   b. Can provide a recommendation letter from an experienced member who understands the role of the PIR Advisory Council Representative.
   c. Has contributed and initiated meaningful discussion on the NCUC or NCSG mailing lists.
   d. Has demonstrated knowledge of, or interest in the work of, the Public Interest Registry, and is willing to be an active

participant in Public Interest Registry discussions and debates.

5. NCSG Policy Committee:
   a. Has documented experience in ICANN policy-making processes, as well as a demonstrated understanding of ICANN's structure and mission, and of the Policy Committee's role and tasks.
   b. Has contributed previously to the formulation of comments or statements on behalf of the NCUC or the NCSG, and participated within the past 12 months on either the NCUC or NCSG mailing lists.

6. NCSG Finance Committee:
   a. Has a depth of expertise in financial management, forensic accounting, and/or budgeting.
   b. Candidates should also highlight their practical understanding of financial accounts, risk management, and understanding of auditing processes, as well as any experience with grant seeking and/or fundraising.

C. Review and selection of candidates

1. NCUC EC will review all the candidates' statements.
2. NCUC EC will evaluate each application based on qualifications.
3. Each NCUC EC member will provide justification as to why one candidate is more qualified than other applicants. Candidates who are not selected for the position shall be sent an email by the NCUC Chair informing them of the EC's decision. Upon request of the candidate(s), or where otherwise appropriate, the Chair shall communicate to the applicant how they can increase their chances of appointment in future rounds.
4. If the NCUC EC does not agree on a candidate, then a meeting shall be arranged in due course to discuss and deliberate the candidates' applications.
5. The deliberations about the candidates should be held confidentially but the record should be kept by Chairmay be provided.
6. The meeting will be held privately, but the notes, recording, and the transcript should be kept for 2 years in case the EC decision is challenged.

D. Timeline for receipt of applications and selection of representatives

1. Applicants shall have a minimum of 14 days to apply.
2. The NCUC EC will reach a decision within of the application deadline 7 business days (includes holding interviews and deliberations, can be extended to 10 days).
3. Selection: Positions are filled by the majority of the NCUC EC voting.
4. In case of a tie vote, the Chair will break the tie in votes.
5. If unsatisfied with the provided rationale, the member can ask for further explanation from the NCUC Chair.
6. If only one candidate has applied for the position and the candidate does not meet the required qualifications in the EC's discretion, then the NCUC EC may reissue the call.
7. The NCUC EC, if it deems appropriate, may request and hold interviews with the candidates.

8. If the circumstances require an urgent appointment, the NCUC EC will discuss and communicate to the NCUC the emergency timelines in a truncated and transparent manner and issue an urgent call for appointment within the ad-hoc timeline.

III. Travel Support Selection

Complementing the Travel Policy (http://www.ncuc.org/get-involved/travel-policy/)

1. At least two months prior to each ICANN meeting, as well as other meetings where travel support will be made available to NCUC members, the NCUC Chair shall send to the NCUC-Discuss list a detailed notification outlining the requirements for the particular NCUC travel support inviting applications. Interested members will have a minimum of 14 days (until 23:59 UTC on the day of announced deadline) from the announcement date to submit their candidature. Applicants should address each of the published eligibility criteria and submit their application via email to the NCUC Chair, with a CC: to at least one other member of the NCUC EC, and the NCUC staff support. The NCUC EC will review the proposals and strive to make decisions within one week of the close of the application period.
2. Sources of funding are to be explained in this communication. Members are entitled to know what opportunities are available to them within the NCUC. In order to do so, in their welcoming note the NCUC Chair or regional NCUC EC representative should make them aware of various opportunities.
3. All travel support requests should provide a brief justification as to why attending the event is important for their work at NCUC. If a member is supported with travel, they must provide a report to be published on the NCUC blog[5] within 21 days of the event's conclusion. A failure to submit a blog post in a timely manner may result in travel not being reimbursed or may have negative consequences in future travel support selection processes. The NCUC Chair will decide on publishing the blog post on the NCUC website.

IV. Treasurer Reporting

1. The treasurer should submit a report twice annually to the NCUC EC in order to :

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[5] http://www.ncuc.org/category/blog/.

a. Explain the financial standing of NCUC and its account balance.
b. Advise NCUC on steps it should take to better utilize the funds.
c. Report on issues faced (if any) in transmitting funds and suggest solutions.
2. NCUC EC shall take into account and discuss any advice from treasurer on fundraising opportunities.
3. If there are additional issues that the NCUC EC finds pressing in nature, these should be communicated to the Treasurer by the NCUC EC Chair.

V. EC Guidelines for Sending and Replying to Emails or 'NCUC NETIQUETTE'

The purpose of this procedure is to ensure efficient information sharing as well as to promote respect and tolerance among members when sending and replying to emails. Emails should be as brief as possible, and the subject line reflecting the content. The EC should develop best practices to classify emails automatically for clarity and to enhance searchability.

Below are few guidelines (examples, not comprehensive) to observe when writing or replying to email on NCUC email lists or in the course of NCUC business (Netiquette):

A. Netiquette
1. Do's [6]
   a. Be polite and courteous.
   b. Be brief (Add documents and long reports as an attachment instead).
   c. Use a descriptive subject line.
   d. Use a signature.
   e. Include the original email when replying.
   f. Use the "to" field for users whose actions are required, "cc" for those who need to be informed but from whom no action is required.

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[6] Sources: www.austinfree.net and http://www.sussex.ac.uk/.

       g. Limit email size (upload bigger attachments to the cloud and share the link).

       h. Use automatic filters to keep track on the NCUC emails more efficiently.

       i. Place action items at the top of emails.

2. Dont's
    a. Use all-caps.
    b. Attach big attachments, unless absolutely necessary.
    c. Use a "read receipt" for every message you send.

B. Categorizing emails by the Chair:

The chair is advised to categorize the emails sent by the chair to the mailing list as below:

1. [Travel support call]
2. [Call for applications]
3. [Call for positions]
4. [Appointments]
5. [Webinar(s)] or [ConfCall]
6. [Information]

VI. Outreach Events and Other Sessions: Proposal, Development, Communication

The goal of establishing a clear and open procedure on NCUC outreach events and workshops is to ensure transparency and fairness during the selection process (in terms of topics, people to conduct the event, and budget) and to promote the NCUC through a coherent outreach agenda.

A. Request Process

Any member in good standing of the NCUC and proven interest or expertise in DNS policy issues may submit a request to conduct an NCUC outreach event

or submit a session at a conference or other events by filling the following form: https://bit.ly/ncucout.

All requests should be forwarded to the EC forty-five (45) days prior to the first day of the event. The request should include at least all mandatory fields in the above-cited form, a brief summary of the proposed content, and the estimated and requested budget (if applicable). Requests for US$500 or less are more likely to be accepted. The EC should approve or reject the request within 15 days of its submission. The EC will appoint a contact person on the EC for outreach requests, and the contact person should bring requests to the attention and approval of the EC.

B. Selection Process

All submitted requests shall be checked against the following criteria:
1. The subject matter of the outreach event and its potential reach, the quality of the proposed session, and its alignment with the goals of the NCUC.
2. Membership standing of the requestor (duration of membership, level of participation in discussions and working groups) and level of expertise.
3. Respect of submission deadline.
4. Budget requested.

5. Regional balance in the distribution of funds.

C. Conducting outreach events and sessions

After the approval notification of the submission, the requestor should send the draft contents of the materials for the event (for instance, the proposed PowerPoint presentation, Word document, or video links) and the workshop agenda to the EC for comment and feedback at least ten (10) days prior to the event. The EC should send feedback no later than five (5) days prior to the event.

During the workshop, where possible efficient online communication should be made through official NCUC channels (validated event hashtags, if remote participation is available for the event/workshop, sharing the details on NCUC lists prior to the event so members can join and benefit from the discussion,

NCUC mention, etc.) or any social media available to increase visibility of the event.

D. After the Outreach Events

Within twenty one (21) days of the event concluding, a report must be submitted to the EC for appraisal. The reports should highlight important elements that occurred during the event, the lessons learned, as well as recommendations for future outreach events. The report should also demonstrate how the audience appreciated the content, show the level of online engagement (most liked posts, mosts liked/retweets tweets, for instance) The report must be formatted in a manner suitable for publication on the NCUC website.

E. Convening an Outreach Group

An Outreach Group can be convened to have a more strategic approach towards outreach.

1. The group will be informal, have open membership to any NCUC member in good standing, and any decisions must be approved by NCUC EC. In the absence of adequate consultation from EC, the NCUC Chair may approve the decisions.
2. Outreach Groups can provide quarterly outreach strategies and advise the EC on how to use other outreach opportunities provided by ICANN (such as the Community Regional Outreach Program (CROP), or other opportunities).
3. EC members are encouraged to join the Outreach Group and provide regional outreach plans in consultation with the members from their region.
4. Outreach Groups can meet with ICANN's Global Stakeholder Engagement team to understand the opportunities available to them, but should communicate in advance to the NCUC Chair the nature of their planned conversations.

VII. Funding

1. NCUC funds its activities through two sources: ICANN funds and NCUC funds. ICANN funds are typically available on a pilot and/or ad hoc basis. It is not

clear if each year a support program will continue or not. As of July 2017, the ICANN sourced funding opportunities available for the NCUC are: Community Regional Outreach Program, funding through the Global Stakeholder Engagement team, as well as approved funding of supplementary budget requests. NCUC funding opportunities include travel support for ICANN meetings, as well as funding for external related meetings.

2. Funding Transparency: The NCUC does not have a set budget for outreach. Requests will be considered on a first-come, first-served basis, and the EC shall provide a rationale as to why it funds or does not fund any portion of a request.

VIII. New Member Onboarding Process

1. New members shall be sent the approved welcome message from the Chair soon after receiving the list of approved new members from the Executive Committee of the NCSG.
2. Once new members have been communicated to the wider NCUC membership on the NCUC-Discuss list, ICANN staff support will circulate one chapter of the approved NCUC Onboarding Materials to the new member once per week, in sequential order, until the entire materials have been sent to the member. As of July 2017 there are seven chapters to the approved NCUC Onboarding Material; this means a new member will receive eight emails over their initial seven weeks of membership (one welcome email from the Chair, and seven chapters from ICANN staff support). These and any related or similar materials should be periodically reviewed and approved by EC.
3. A survey will be circulated periodically to match the new member's experience and interest with the work of the NCUC
4. Webinars specifically targeted at Newcomers shall be held at least three times per year.
5. Executive Committee members are encouraged to host webinars targeted at onboarding and re-activating the engagement of members from their region.
6. The contents of all onboarding webinars are to be approved by the NCUC Chair and developed under the guidance of NCUC officers and other leaders including subject matter experts where appropriate. A designated NCUC Executive Committee member, or those involved with developing the onboarding program, is appointed to conduct the Newcomer Onboarding Webinars.
   1. Requests for language interpretation or the translation of materials from or into Arabic, English, French, Mandarin Chinese, Portuguese, Russian, and/or Spanish can be sent to the Chair with ICANN staff support in copy. If it is feasible for the materials to be translated into the requested language using ICANN services, then the ICANN staff member will facilitate this. For requests for live interpretation to be accepted, it must be submitted well in advance (generally at least one month before the event).

IX. The process of removal, inactivating, suspending and limiting the status of members [7]

This section will specify the criteria through which the existing members maintain their good standing:

1. Members who have checked-in for NCUC or NCSG elections over the past 12 months, regardless of taking part in elections through voting, are considered members in good standing.
2. The Executive Committee can decide to carry out a check-in with the members when it deems necessary, with the majority of the EC votes.
3. The check-in process is as follows: Before each annual election, the NCUC Chair shall send an email to all members, active or suspended, asking them to update their contact information before the election. If the NCSG has conducted the check-in prior to the NCUC elections, the process should not be repeated; those who are listed as inactive by the NCSG will be recognized as inactive by the NCUC. If the check-in takes place by the NCUC and no response is received by the requested deadline, an attempt will be made to reach the member through alternative means, e.g., telephone calls or requests through other contacts. If, after reasonable attempts fail to reach a member or its representative and confirmation of contact information cannot be completed, that member will be moved to an inactive members' list and an announcement will be made on the public discussion list. Once on the inactive members' list, the inactive member will not be included in the membership count required to establish election results. An inactive member can be removed from the inactive members' list by updating its contact information. An inactive member can remain on the inactive list indefinitely. Inactive members are ineligible for running in NCUC elections or official NCUC appointments. Inactive members may not vote in NCUC election while membership is not active and in good standing.

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[7] Our bylaws require us to come up with this procedure III(C)The Executive Committee shall create operating rules for existing members to maintain their membership eligibility, and shall review and, when justified, expel members whose status has changed in ways that no longer make them eligible for membership under the criteria stated in sections III.A for eligible organizations or III.G for eligible individuals.

4. A Member may have any and all membership privileges revoked or suspended if Member is found by EC to have engaged in serious misconduct related to Member's ICANN participation such as violations of NCSG's Principles for Members and Leaders as described in Section 1.2 of NCSG's Charter, or for violations of ICANN's Expected Standards of Behavior and Anti-Harassment Policies, or based on the recommendation of the ICANN ombudsman's office, or for other misconduct related to a serious legal, civil, or criminal complaint against the Member.

5. In the event that member's eligibility changes , the member may either voluntarily resign membership from the NCUC via email to the Chair, or the Executive Committee will take the following actions in accordance with the procedure below:

   a. The process of making enquiries about a member's eligibility can start when the Executive Committee receives information that creates reasonable belief that a member's change in affiliation or the member's actions makes them ineligible to remain NCUC members in accordance with the NCUC bylaws.

   b. The Executive Committee will make enquiries with the member as to the accuracy of the information received, and will request the member provide more information regarding their eligibility to be an NCUC member.

   c. The member has 5 business days to respond to this enquiry.

   d. If the member does not respond within 5 business days, the Executive Committee can expel the member from NCUC with a majority of EC vote, this decision can be challenged in accordance to paragraph 4(g).

   e. If the member responds within 5 business days, the member will have 10 business days to provide evidence and more information about their change of affiliation or actions and have a meeting with the EC members.

   f. EC will decide within 20 days of the meeting with the member whether to expel,suspend, or otherwise limit the member's participation in NCUC.

   g. A request for review of the EC decision can be filed within 5 business days of the member's receipt of the decision.

   h. The EC will review its decision and announce its final decision within 20 days of the receipt of the request for review.

   i. The process is transparent by default. This means the meetings will be recorded and published online, along with any attached communications, unless the member subject to review requests a closed meeting and provides a reasonable rationale as to why the

proceeding should be closed. In such cases, sensitive aspects of the discussions may be redacted from the process, with the remainder being made public.

6. If under the circumstances stipulated in the bylaws[8] section III(J), the EC decides to limit some organizations' membership of some sub units or chapters it should take the following steps:
    a. Inform the members of its rationale for limiting membership.
    b. Inform the members whose status will be limited by an email.
    c. Explain what a limited membership means: no right to vote, nor hold official position, and becoming observers which means they cannot post to the NCUC-Discuss mailing list.

7. If a member's status has changed and the member has joined another SO/AC (other than NCSG or another constituency within NCSG) and it clearly causes conflict of interest, EC can decide whether to remove that member or to change their status to observer. If by joining another SO/AC the member carries out only civil society and noncommercial activities and the nature of their activities has not changed, then the removal shall not take place.

    If NCUC members take leadership positions in other ICANN constituencies or SO/ACs outside from NCSG, NCUC EC can decide whether to change their status to observer or to remove them from membership. A member whose membership has been changed hereunder may request the NCUC EC to review the membership decision in accordance with Section XI of these procedures if member's email request is made to NCUC Chair within 5 business days of member's receipt of the initial decision. NCUC EC should be transparent with regards to its decision, explain to the NCUC members and the affected NCUC member why such decision was made.

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[8] Procedural rules for: III(J) In the event that a complaint is received or it becomes known to the Chair and the EC that there is an overt and deliberate effort by one or more organization(s) or chapters to control or dominate the Constituency; then, by majority vote of the EC, the identified organization(s) should be subject to a membership review . Remedies may include (a) cessation of the dominating/controlling behaviors, (b) suspension of membership, or (c) limiting, in a nondiscriminatory manner, the membership eligibility of chapters and sub-units and/or individuals affiliated with the affected organization(s).

X. Procedure for the removal of Executive Committee members and the Chair from Office[9]

1. If an EC member does not carry out her/his duties in accordance with the NCUC bylaws, then the removal of the EC member from office will be carried out in accordance to the procedure stipulated in the bylaws.
2. If the EC member becomes ineligible for office due to change of affiliation or other NCSG membership eligibility change, or conflict of interest, the EC shall take action in accordance to section IX(4) of these operating procedures.
3. If there are complaints within the EC and the membership about the Chair's performance, after receiving a complaint signed by 15 members in good standing, the EC should look into the matter.
4. If, after investigation and inquiry, the EC unanimously decides that the Chair has not conducted the NCUC affairs in accordance with the NCUC bylaws, then the EC, may appoint an interim chair). If this decision takes place more than six months before the next regular annual election, another special election should be called.
5. In all events, the EC should inform the NCUC membership prior to any determination to verify that the change of circumstances, as the EC understands it, is fair and accurate. EC can inform the members via NCUC-Discuss. Members have five (5) business days to comment. EC will then make its decision. The decision can be appealed as stipulated in XI.

XI. Appeals

1. NCUC members can file an appeal with NCUC EC with regards to EC decisions as stated in the NCUC Bylaws (which requires minimum number of 15 members to challenge an EC decision) by sending an email to the Chair of

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[9] VIII(H). The standards for performing the duties of NCUC leadership positions include impartiality, accountability, and avoidance of conflicts of interest. NCUC officers are expected to be fair and responsible stewards of the NCUC's activities. The Chair, in particular, is expected to look after the general interests of the NCUC 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 corrupt officers or officers who fail to perform their responsibilities, are intended to keep officers accountable and responsive. The NCUC Executive Committee shall draft detailed operating rules for removal of officers who fail to meet these standards within six (6) months of the approval of the Bylaws by the Board.

NCUC or the Executive Committee mailing list within 5 business days the decision's publication or other transmission to the appellant.

2. The appellant should indicate in the appeal email whether the appeal is requested to remain confidential (if the appeal is sent to the EC mailing list, it will be deemed to be public).

3. Two former NCUC Chairs or EC members should be also involved with the review of the appeal. Their involvement will be on voluntary basis. They will have an advisory role and one will be appointed by the Chair of NCUC and one by the appellant.

4. As soon as the Chair receives the appeal request, it should be forwarded to the EC and other involved volunteers (as stated in XI(3))no later than five (5) days upon receipt of the appeal.

5. EC should decide whether the appeal can be processed based on the NCUC Bylaws in accordance to which the appeal is valid if they appellant has met the deadline and the matter is subject to appeal).

6. If the subject matter can be appealed, EC should consider it, have an urgent meeting to discuss and invite the appellant(s) to the meeting to reach a mutually acceptable decision.

7. If the EC and the appellant cannot come to a mutually acceptable decision, the NCUC's active membership shall vote on the appeal.

8. The EC should arrange for the vote to happen according to the Bylaws timeline. The Chair should send a comprehensive and informational email to the membership describing the background of the matter to be decided by the membership. The appellant should be able to make a rebuttal to the background provided by the Chair.

9. If the appeal is approved by the membership the EC should execute it and if necessary reverse its decision to abide by the appeals outcome within seven days, in accordance to the NCUC bylaws.

XII. Appealing Decision Regarding Dues

1. Members have the right to appeal the Chair's decision to approve or reject any dues waiver or reduction requests.

2. The member may appeal the Chair's decision by providing evidence as to why the Chair's decision was not accurate. The appeal shall be sent to the NCUC

EC mailing list, or to the one of the regional Executive Committee representatives within 5 business days of receipt of the initial decision.
3. The EC will have a meeting to discuss the appeal with the chair and the member-appellant.
4. The EC decision to uphold or reject the Chair's decision should be simultaneously communicated to the member-appellant, the Chair, the NCUC-Discuss list, and shall be implemented accordingly in due course.

XIII. Auditing Votes[10]

1. If the EC receives a request from 15 members (organizational or individual) in good standing to audit or otherwise authenticate the veracity of any election or proceeding in which member votes are solicited and counted, then the EC should arrange for such an audit to the extent reasonably appropriate.
2. The audit request should be forwarded to the responsible officer, appointed by the EC, within 7 days of the receipt of the request. The responsible officer can be the election officer (ICANN staff).
3. The responsible officer should be impartial and EC should establish the impartiality of the officer before assigning the task.
4. The responsible officer should audit the votes within 14 calendar days from the request and send the results to the EC.
5. EC should immediately inform the members of the results via the NCUC-Discuss email list.
6. If the results indicate that another election should take place, the EC should arrange for that within 14 days of the receipt of the decision with the supervision of the independent officer.

XIV. Disclosure Statement

1. The disclosure statement form should be filled by the member whose status has changed according to section III(I) of the bylaws within two weeks.[11]

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[10] Under what circumstances auditing the votes should take place? Any member can request? 15 members? : VI(B)(E)The votes of members shall be kept confidential. The EC may appoint a trusted Constituency member who is not a candidate, or an impartial nonmember ICANN or GNSO officer, to audit any election or proceeding in which Member votes are solicited. The circumstances under which an audit might be conducted will be elaborated in NCUC operating rules.
[11] III(I)**A disclosure statement** should be provided by an individual or an organization who is receiving an individual or group research grant, funding, or consulting fee from ICANN, another Supporting Organization or GNSO Stakeholder Group, governments, or commercial entities involved in

2. The disclosure statement form will require the members to state: the date the individual has started receiving funding from the entities stipulated in NCUC bylaws, the name of the entities that the members receive funding from, the duration of funding and if it is extendable and if the funded member is required to carry out activities at ICANN meeting for the funders.
3. EC will decide within two weeks of the receipt whether or not to publish the statement.

XV. Developing and Reviewing Operating Procedures

1. According to the timeline set by NCUC bylaws, the EC should review the operating procedures by the end of its term.
2. Every new EC that takes office should decide on an annual basis which part(s) of the NCUC Operating Procedures need revisions and / or supplemental provisions. It may seek public comment from NCUC members to help with this decision.
3. If no part requires revision or supplemental provisions, this decision must be announced on the NCUC-Discuss mailing list in due course.
4. If the EC decides to review or amend the Operating Procedures, it shall first form a task force open to volunteers from NCUC's membership, within 2 weeks from when the decision is made.
5. The EC shall appoint a rapporteur (or two rapparteurs) to act as penholder and manage the drafting process under the EC's direction.
6. The task force should primarily operate on a to-be-determined NCUC email list with archives open to members and it should hold regular meetings to create a draft on which parts of operating procedures need revision and how they should be addressed.
7. At least one EC member should be present in each of the task force meetings and report back to the EC on the task force's progress.

ICANN-related activities, unless the funding or the relationship with the donor are the subject of a non-disclosure privilege. This should be done in a form and manner prescribed by the Executive Committee, which will be published and disclosed on NCUC online communication channels. Members can request the EC to keep parts of the disclosure statement confidential; however, the EC will decide, at its own discretion, whether to approve the confidentiality request. The list should be updated periodically and old disclosures removed. The EC will follow up on any disclosures they believe require further consideration. Failure to disclose financial support within three months of having been granted financial support will result in the reconsideration of membership privileges.

8. Within 60 days of the task force's formation, the task force should provide to the EC a document with recommendations for which sections should be reviewed and what provisions should be added or substantively changed. The recommendations should include a statement indicating the intentions for the recommendations, their projected impact on NCSG, the rationales for making them, and a complete list of the names of people and organizations who participated or otherwise contributed in the recommendations drafting, including but not limited to task force members.

9. The document shall be shared via the NCUC-Discuss list with NCUC members and open for comments and suggestions for a minimum of 14 calendar days.

10. Under the EC's direction, the rapporteur shall consider member comments and revise the provisions as appropriate.

11. The penholder should provide textual suggestions within 30 days of having received instructions from the EC to draft the revision.

12. Upon receipt of the revisions, EC should go through the text to accept or reject the changes providing rationale for acceptance or rejection.

13. EC has 30 days to review and consider the proposed revisions; after the EC approves the text with a majority of votes (of those entitled to vote), the final version should be submitted to the members for public comments.

14. Public comments on the final version shall be received for a minimum of 15 days following its submission to the members via the NCUC-Discuss list.

15. EC shall publicly discuss the public comments within 15 days of the close of the comment period and shall respond and resolve any outstanding issues in the draft in its sole judgment. The EC shall approve the final procedures by a majority of votes of EC members entitled to vote.

16. Chair shall publish the new EC-approved procedures to the members via the NCUC-Discuss list within 2 business days.

17. Appeals of EC decisions regarding revisions or additions to NCUC's operating or other documented procedures shall only be made by a member in good standing emailing a notice of appeal to the chair within 5 business days of the final procedure's publication to the NCUC-Discuss list. Such appeals shall be evaluated in accordance with Section XI of these operating procedures.