

**VOTING OUTSIDE A COUNCIL MEETING: PROPOSED ADDITION TO THE GNSO OPERATING  
PROCEDURES  
FINAL SCI PROPOSAL FOR PUBLIC COMMENT**

The SCI makes this recommendation in response to the request of the GNSO Council for the SCI to consider “whether and how the Council could vote outside of a meeting and under what circumstances.”

**THE SCI PROPOSES THAT A NEW SECTION 4.10 BE ADDED TO THE GNSO OPERATING PROCEDURES, AS FOLLOWS:**

**4.10 Voting Outside A Meeting**

4.10.1. Applicability. There may be cases when GNSO Council voting outside a meeting might be necessary or desirable. The following is an illustrative, non-exhaustive list of examples where this may be the case:

- a. Substantial discussion has occurred during a Council meeting and by other methods (such as the Council mailing list) but there was no time for a roll call vote.
- b. Substantial discussion has occurred during a Council meeting, but one or more Councilors stated a need to refer the issue back to their Stakeholder Group or Constituency for further direction prior to a vote being taken.
- c. The next regularly scheduled Council meeting will take place after the deadline for relevant Council action, including without limitation a response to a request for GNSO input generated by the ICANN Board or another Supporting Organization or an Advisory Committee, and the GNSO Chair determines in accordance with this Section that the issue under consideration has already been discussed at length or that such discussion will have occurred prior to the vote being called.

4.10.2. Determination; Notice. Voting outside a meeting may only occur when all of the following conditions are met:

- a. The GNSO Chair determines, after discussion with Council members, that the issue will have been adequately discussed and sufficient time given to each Stakeholder Group and Constituency to consider the issue by the time the vote is called;
- b. The GNSO Chair determines, after discussion with Council members, that the Council’s regular meeting schedule would make it difficult to resolve the issue without scheduling an extra meeting and this would be impractical in light of the circumstances at that time;

- c. No Councilor objects to the vote being taken outside a regularly scheduled Council meeting; and
- d. The GNSO Chair provides at least seven (7) calendar days' advance notice of the vote, along with notice of the beginning and ending day and hour of the voting period (in UTC), which period shall not be less than four (4) calendar days.

#### 4.10.3 Guidelines for Voting Outside a Meeting.

4.10.3.1 As with votes taken during a regularly scheduled GNSO Council meeting, all votes taken outside a meeting will:

- a. Be open (i.e., not by secret ballot);
- b. Allow for the inclusion of voting statements in accordance with Section 4.3.2 of these Operating Procedures; and
- c. Have their outcomes published and recorded, with accompanying voter statements, if any, as minutes for purposes of formal record keeping. These items are to be prepared and approved in accordance with Section 3.5 of these Operating Procedures, except that the relevant time period shall commence with the ending of the voting period.

4.10.3.2 Voting outside a meeting should normally be by electronic means. Methods used to transmit and record votes taken outside of meetings shall be authenticated and verifiable using the same criteria and applying the same standards as those used for absentee ballots under Section 4.4.3 of these Operating Procedures.

4.10.3.3 Any motions to be voted on outside meetings must meet the same requirements as motions voted upon during GNSO Council meetings. For the avoidance of doubt, voting on motions outside meetings is permitted only in cases where a motion has been submitted for inclusion on the agenda for a GNSO Council meeting in accordance with these Operating Procedures.

4.10.4 Eligibility. For the avoidance of doubt, this Section shall not apply to votes for which absentee ballots would otherwise be permitted under these Operating Procedures. This Section may be applied to instances where a Councilor has requested a deferral of a motion properly submitted under these Operating Procedures, provided all the requirements stated in this Section are fulfilled, unless the Councilor requesting deferral specifically objects to voting outside a meeting at the time deferral is requested.