**GNSO SCI – EMAIL VOTING**

**DISCUSSION DRAFT 7 MAY 2014**

This recommendation is made 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.”

**CURRENT DISCUSSION DRAFT:**

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

* Substantial discussion has occurred during a Council meeting and by other methods but there was no time for a roll call vote.
* 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.
* 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 [policy guidance] from the GNSO, and the GNSO Council leadership determines in accordance with this Section that the issue under consideration has already been discussed at length or will have occurred prior to the vote being called.

2. Voting outside a meeting, which should normally be by electronic means, should only occur when all of the following conditions are met:

* GNSO Council leadership determines 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;’
* GNSO Council leadership determines 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;
* No Councilor objects to the vote being taken outside a regularly scheduled Council meeting; and
* GNSO Council leadership provides at least seven (7) calendar days’ advance notice of the vote.

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

* Be open (ie. not by secret ballot);
* Allow for the inclusion of voting statements in accordance with Section 4.3.2 of these Operating Procedures;
* Have their outcomes published and recorded, with accompanying voter statements, if any, as minutes for purposes of formal record keeping. These 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. Methods used to transmit and record votes taken outside of meetings shall be authenticated and verifiable using the same criteria and meeting at least the same standards as those used for absentee ballots under Section 4.4.3 of these Operating Procedures.

5. Any motions to be voted on outside of meetings must meet the same requirements as motions voted upon during regularly scheduled Council meetings.

6. 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.

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**PREVIOUS DISCUSSION DRAFT:**

3. E-Mail voting can be allowed at the GNSO Council Chair's discretion both for individuals as well as for the whole Council under certain circumstances.

4. The GNSO Council Chair shall only grant the possibility to vote by e-mail

a) to individual Councillors if the Councillor has attended all discussions on the motion, but was unable to participate in the vote.

b) to the Council as a whole subject to the following conditions, which must be present cumulatively:

o the motion to be voted on has been fully discussed by the Council and no further discussion was asked for by one or more Councillors

o conducting the vote at the next scheduled meeting of the Council would prevent progress toward an important goal of the Council

5. The GNSO Council Chair will send the motion and the time frame for submitting votes to the GNSO Council mailing list with at least 48 hours prior written notice on week days. (NOTE: week days differ from country to country, e.g. Sunday is a work day in Israel and in various Arab countries as well.) The time frame for submitting votes shall not exceed one week past the GNSO Council meeting during which live votes were taken or one week past the notice date specified in the communication from GNSO Council Chair specifying that e-mail voting is open, whichever is applicable.

6. E-mails containing votes shall be sent to the GNSO Secretariat with a subject specifying the motion as previously announced by the GNSO Secretariat to the GNSO Council mailing list. E-mails containing votes must not be sent to the GNSO Council mailing list to prevent strategic voting. Emails containing votes must be sent from the official e-mail address recorded with the GNSO Secretariat

7. E-mails containing votes must be sent from the official e-mail address recorded with the GNSO Secretariat and shall affirm that the Councillor voting has participated in all discussions held regarding the vote. The GNSO Secretariat shall ensure that e-mail votes received are authentic either by confirming the vote with the respective Councillor through a communication channel other than e-mail or via means of digital signature of the e-mail containing the vote. DISCUSS DIGITAL SIGNATURE.

8. The GNSO Secretariat will publish the results of the vote as soon as practically possible after expiry of the voting deadline or the completion of the vote, whichever is earlier.

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