Suggested Additional Stakeholder Group Charter Elements to Ensure Transparency, Openness, Fairness and Representativeness Principles

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Board members have asked Staff to note any additional obligatory elements that should be incorporated into GNSO Stakeholder Group and Constituency Charters (GNSO Structures) to ensure that those structures operate consistent with the general operating principles laid down in the ICANN Bylaws requiring transparency, openness, fairness and representativeness (see Article X, Section 5, http://www.icann.org/en/general/bylaws.htm#X). Staff has identified a number of common areas that could be used by the Board as behavioral baselines when it comes time for the Board to evaluate each structure's adherence to the Bylaw principles (every three years for Constituencies and, after an initial probationary year, every three years for Stakeholder Groups).

These suggestions are not intended to dictate specific methods for compliance, but to set out targets for behavior /practices/mechanisms to be established by each individual GNSO structure.

Membership

It is important that the Board and the community have the ability to determine what parties comprise a particular GNSO structure and who participates in an active way. Each GNSO structure's must have clearly identified rules for member eligibility and also specify what each member must do, at a minimum, to maintain active status in that structure's organization. The Charter should also explain how a member's rights and privileges are affected by changes in status.

Each GNSO structure should collect, maintain, and publish active and inactive member names identified by membership category (if applicable). This information should be updated at least annually. In the case of corporate or organizational members, the structure should maintain contact information for the individual(s) who purports to represent the member in that structure. Personal information and contact data should not be made publicly available, but that information should be maintained and provided to ICANN Staff if/when requested for auditing purposes.

Finances

To the extent that any GNSO structure collects membership fees, dues, or other forms of remuneration, that structure must maintain detailed records of funds received and disbursed according to generally accepted accounting principles. That financial information should be reported in a general way on the structure's web site (e.g. charts or tables as determined by the structure's leadership) and updated at least annually. Detailed accounting records should not be made publicly available, but such records should be maintained and provided to ICANN Staff if requested by the Vice President of Policy or other senior member of ICANN Staff.

Meeting Transparency

Although private deliberations and/or conversations do not need to be recorded, each structure should publish reports concerning what transpires at its public meetings (both regular and ad hoc). Prior notice should be provided via a public calendar made available on each structure's web site. Meeting reports can take the form of MP3 files or other recordings, transcripts, minutes, summaries, or action item reports as determined by the structure's leadership. At a minimum, every meeting report should include an attendance list, an agenda of planned and actually discussed topics, and any decisions or actions items that stemmed from those discussions. If votes or consensus calls are taken at a meeting, the report should indicate the outcomes as well as those meeting participants who offered positions. Individual records of specific votes cast or positions articulated are not required to be maintained unless so directed by the structure's leadership.

Additional Considerations:

Records Retention

All records that the Board asks GNSO structures to maintain must be retained by the structure's leadership for at least a four-year period to ensure that a full three-year record is available for each structure's renewal/reconfirmation period.

Web Presence

Every GNSO structure should maintain a website on which it publishes the information referenced above. The address of that website should be publicized and linked to the main GNSO website.