

## IGC Charter Amendment Conflict Resolution Note

Date: 17<sup>th</sup> Feb 2013

To: IGC CS Members  
From: Imran Ahmed Shah

Dear IGC CS Members,

With reference to the recent Formally Proposed Charter Amendment Proposals, we observed conflict to finalize and accept the survey poll results. I am not appeal team member or mediator but being an observer and IGC Voting Member, may perform a little bit arbitration function. Let me try to rephrase the result and that will finally help to conclude the survey poll outcomes.

1. Recent Results of the IGC Charter Amendment is as follows:

76 responses were submitted, though some respondents did not answer all questions, as none of them were compulsory.

On proposal 1, 70 voted in favour, 4 against, and 2 did not vote.

On proposal 2, 62 voted in favour, 5 against, and 9 did not vote.

On proposal 3, 71 voted in favour, 2 against, and 3 did not vote.

On proposal 4, 65 voted in favour, 3 against, and 8 did not vote.

2. With reference to the Charter Amendments to approve, Charter says:

### **“Amendments to the Charter**

This charter can be amended at any time as proposed by no fewer than ten (10) members and as approved by no less than two-thirds (2/3) of the members of the IGC. The membership requirements for amending the charter are based on the most currently available voters list. In amending the charter, everyone who voted in the previous election will be deemed a member for amending the charter.”

3. Now as per Charter, we have to recall the voters of the previous election results:

“There were 129 people who commenced the survey. One of them self-identified as not being a member of the Internet Governance Caucus, and one of them bailed out when asked that question. This leaves 127 people who self-identified. Of those, six people claimed that they had already voted in this year's election, so they were not offered the opportunity to vote again. Of the remaining 121, 106 took that opportunity.”

4. By reviewing the rule “everyone who voted in the previous election will be deemed a member for amending the charter”, and result of the coordinators election, (as declared by Dr Jeremy), 106 used their vote in the previous election.

Note: *Point to be noted, the charter say about “everyone who voted in the previous election”, and does not say “last one year elections”*

So: *Two-thirds (2/3) of 106 = 70.667 (rounding figure is 71)*

5. Result: (<http://igcaucus.org/formally-proposed-charter-amendments>)

- a. According to the above statistics, following proposal has required 71 votes in favour: i.e. Proposal 3, which was as follows:

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On proposal 3, 71 voted in favour, 2 against, and 3 did not vote.

### **3. Proposal of Jeremy and co-proposers on updating the reference to the mailing list**

Under "Working methods", update the address of the mailing list from [governance@lists.cpsr.org](mailto:governance@lists.cpsr.org) to [governance@lists.igcaucus.org](mailto:governance@lists.igcaucus.org).  
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- b. If 70.667 is rounded as 70, one more option may be qualified and that is Proposal 1.  
On proposal 1, 70 voted in favour, 4 against, and 2 did not vote.

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**1. Proposal of Avri and co-proposers on Voting (regarding the affirmation of caucus members and the provision of an "abstain" option)**

"Prior to voting the prospective voter must personally ascertain that they are a member of the IGC based on membership criteria described elsewhere in this charter and posted as part of the voting information (i.e. a voter must affirm membership on the voter form prior to voting). The decision to self-identify as a member of the IGC is a personal decision based on the criteria defined. A list of the self-defined member-voters will be published after the election with the results of the election.

All ballots will include the ability for voters to abstain on any choice included on the ballot."

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6. There are some discussion on the mailing list that:
- the information related to Voters List Selection and significant information about the required Quorum (2/3 of voters) and observer members, voting and non-voting members were not communicated to the list,
  - Survey Poll deadline intimation or reminders were not released, and
  - Also requested to extend the same survey time

**Remarks:** Discussion about the selection of previous or current coordinators election, required quorum and some questions about the poll are on record. These observations or objections may be submitted to Appeal Team but there is no strong objection that could help to declare the current survey poll "INVALID" and to re-run the same. **However, any objection from the members/voters who could not avail their ballot to cast their vote in time, or due to any technical reason faced by them to complete their survey poll in the given time period, may be addressed and should be compensated accordingly.**

7. Now, what's next, how to proceed "The way forward:  
There is provisioning in the charter regarding the unresolved options"

"Any options that may remain in the draft charter after thirty (30) days, will also be voted on as part of the charter acceptance process. In the case that there are options, the vote will be organized to first ask for acceptance, as described above, of the basic charter with options left unresolved. The same ballot will also include a vote on the options. For each case where there are options, the option that receives the most votes will be selected."

There is provisioning in the charter regarding the unresolved options, we have to prepare a next Survey Poll for the acceptance of the latest form of the Charter, and we can arrange to resolve the issue of the remaining proposed amendments:

- by the remaining voters within this 30 day's Survey Poll, the unresolved amendments may be submitted to the voting members asking that if they are not comfortable with the version of the charter, which of the following proposed option they would prefer to be included in the Charter.
- If we do not include, a fresh revised survey may be initiated through the same way, but... after the 30 day's Survey Poll. We may expect a technical question "should we require the complete process from bottom, that requires "proposed by no fewer than ten (10) members", I think this may be resolved after discussion on the mailing list.

Thank & Regards

Imran Ahmed Shah