

The undersigned NCSG Members challenge the decision of the NCSG Executive Committee to refuse to briefly postpone an annual election that is being held using a flawed ballot and that suffers from an inadequately supervised election process in violation of the NCSG's Charter.

Without any notice to the membership or the Executive Committee, the NCSG Chair changed the longstanding interpretation of the election rules, causing confusion among the membership once the ballot was released. Once the confusion was explained, the Chair and the EC refused to stop the election or to issue a clarified ballot. Part of the rationale given by the NCSG Chair was that this was just a "symbolic vote" since we had only 3 candidates for 3 Council seats. This is untrue, the mechanism summarily changed had allowed for a negative vote to be cast without needing to vote against a particular candidate or against all the candidates. Without a new vote with clarified procedures and ballot, the election cannot be seen as legitimate.

The issue at stake is more than just a question of particular elections or particular version of a ballot. It is an issue of good governance and due process. The NCSG has been known for demanding transparency, accountability and good governance from ICANN. The suggestion of "symbolic" elections with a confusing and disputed ballot undermines the whole concept of the NCSG and casts a shadow on its future activities. And it undermines ICANN's multi-stakeholder model and its ability to deliver legitimate democratic processes for Internet governance.

Similarly, not addressing this problem now might lead to issues in the short-term and medium-to-long-term in the functioning of the NCSG and its councillors, which will not benefit the effectiveness of the stakeholder group. We therefore would like to see this concern addressed before continuing with the election.

Pursuant to Section 2.4.2.1 of NCSG's Charter, the NCSG Members signed below hereby initiate an appeal of this NCSG EC decision to refuse to fix the contested ballots and properly clarify the election process before proceeding.

Member Signatures

1. Avri Doria - Individual Member
2. James Gannon - Individual Member
3. Tatiana Tropina - Individual Member
4. Farzaneh Badii- Individual Member
5. Stephanie Perrin - Individual Member
6. Robin Gross, IP Justice, Organizational Member
7. Amr Elsadr, Individual Member
8. Ayden Férdeline, Individual Member
9. Niels ten Oever, Article19, Organizational Member
10. William Drake, Individual Member
11. Anriette Esterhuysen, APC, Organizational Member
12. Rachel Pollack Ichou - Individual Member

13. Milton Mueller, Internet Governance Project, Organizational Member
14. Dan Krimm, Individual Member
15. Stefania Milan, Individual Member
16. Monika Zalnieriute, Individual Member
17. David Cake, Electronic Frontiers Australia, Organizational Member
18. Norbert Klein, Open Institute, Organizational Member
19. Michael Oghia, Individual Member
20. Kim von Arx, Individual Member
21. DeeDee Halleck, Deep Dish Network