

EARN Document

Title: Proposal for disconnection procedures
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>EARN Charter, Section 2.4:

>
> Any COUNTRY or CO-OPERATING COUNTRY may request disconnection
> from EARN, provided a six month warning is supplied.
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> The EARN Board of Directors may request the disconnection of
> any FULL or COPYRIGHTING COUNTRY from EARN, provided a warn-
> ing is supplied, according to Article 7 of the Statutes.
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>EARN Statutes, Article 7:

>Membership in the Association may be lost by resignation,
dissolution,
>(of a member) or cancellation.
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>The membership of any member may be cancelled by the Board of
Directors
>on any basis when such membership is deemed harmful to, or contrary
to
>the interests of the Association. Prior to taking a
>decision cancelling the membership of a member, the member in
question
>must be given the opportunity to defend himself in writing against
the
>accusations made against him, which accusations shall have previously
>been communicated to him in writing.
>Such decisions (not withstanding Article 15 paragraph 4 of these
>Statutes), shall be taken by two-thirds of the members of the Board
>present. Reasons for such action shall be sent in writing to the
>former member in question.
>
>Members who resign or whose membership is cancelled can not claim any
>right to the Association's property nor may they request the refund
of
>sums paid by them in dues and entrance fees.

Operational Procedure for
Disconnection of an EARN member

Terms of reference:

"harmful to, or contrary to the interests of": non-payment of membership fees or refusal to transmit data freely destined for other countries.

Definition of non-payment: after 6 months have elapsed from the time a payment is due, a warning is sent to the country that has not paid. If an additional 6 months elapse and the country has not paid, then the situation of 'non-payment' has come about.

Definition of refusal to transmit data freely: the BoD member of the affected country must contact in writing the BoD member of the country restricting data traffic. If the problem is not resolved within a period of two months, the BoD member is required to send a letter to the EARN President informing him of 'refusal to transmit data'.

1) A BoD member or EXEC member must approach the President of EARN and request that a certain member be disconnected and must state in a letter the reason for requesting disconnection.

2) The President has the option to resolve the matter in a 'quiet' fashion or to draft a letter to the country in question stating the reasons why EARN wishes to disconnect it from the network.

3) The EARN President sends out the letter, after approval of the EARN Executive.

4) This letter must be sent out 2 months prior to calling for a vote of the BOD for country disconnection.

5) The President is responsible for distributing the defending letter (if one has been provided) to all BoD members, 4 weeks before a vote can be called.

6) Based on the letter from the President and the defending letter from the country, the BoD votes for disconnection or not. Two-thirds of all EARN full country members must vote in favour of disconnection in order to disconnect.

7) The vote is either for or against, with no abstaining permitted. Missing votes or abstentions will be counted as a vote against disconnection.

- 8) If a vote of disconnection is carried, the President sends a letter to the country providing them with 3 months notice to disconnection.
- 9) At 3 months, the nodes from that country are removed from the EARN routing tables.
- 10) After step 8 is carried out and there is a vote in favour of disconnection, but the country in question wishes to correct the matter and reconnect, they must go through the standard connection procedure for new countries (see Procedures for Connection).