

ICANN Nominating Committee (NomCom) Implementation Planning Team

NomCom2 Review
Feasibility Assessment &
Initial Implementation Plan

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Introduction

On 5 June 2018, Analysis Group published its [final report](#) of the second review of ICANN's Nominating Committee (NomCom). The [final report](#) includes an assessment of the NomCom and 27 recommendations for improving its operations.

Analysis Group presented its findings and resulting recommendations for improvement in three categories:

- Composition and Responsibilities of the NomCom Members
- Processes of the NomCom
- Additional Topics

Based on its detailed review of the [final report](#), the [NomCom2 Implementation Planning Team](#) (IPT) has prepared this Feasibility Assessment and Initial Implementation Plan (FAIIP). This plan includes an analysis of recommendations in the [final report](#) for usability and prioritization, provisional budget implications, anticipated resources and the proposed implementation timeline. The IPT has noted any objections or proposed modifications to recommendations where applicable, along with supporting rational.

Once finalized, the IPT will present this document to [the Organizational Effectiveness Committee](#) of the ICANN Board (OEC) to inform its recommendation to the Board on next steps.

1. Overview of Recommendations

2. Feasibility Assessment & Initial Implementation Plan

Issue 1

Issue identified by the independent examiner: The extent to which NomCom members are independent and prioritize the interests of the global Internet community in their decision-making is an area of concern within ICANN. The NomCom itself is not seen as sufficiently diverse, particularly with respect to gender (p12).

Recommendation 1

Independent examiner's final recommendation: Formalize a job description for NomCom members that emphasizes diversity and independence, and provide that description to the SOs/ACs.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
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Review Working Party comments		
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Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		

High-level summary of proposed implementation steps

Issue 2

Issue identified by the independent examiner: NomCom members have significant technical and policy-related experience in their fields but do not always fully understand the role of Board members and the skills and attributes needed to be a successful Board member at ICANN (p15).

Recommendation 2

Independent examiner's final recommendation: Implement and formalize training to further NomCom members' understanding of the roles and responsibilities of Board directors and the practices of high-performing Boards at other nonprofit organizations.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
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High-level summary of proposed implementation steps

Issue 3

Issue identified by the independent examiner: The leadership structure of the NomCom generally works well, although the effectiveness of the NomCom depends heavily on the effectiveness of the Chair (p17).

Recommendation 3

Independent examiner's final recommendation: Implement and formalize training for NomCom leadership to further their understanding of their roles, authority, and responsibilities, and confirm or appoint the next Chair earlier in the cycle.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		

High-level summary of proposed implementation steps

Issue 4

Issue identified by the independent examiner: On average, NomCom members lack substantive recruiting and selection experience for an organization the size and complexity of ICANN (p18).

Recommendation 4

Independent examiner's final recommendation: Formalize training for NomCom members in the candidate evaluation process.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 5

Issue identified by the independent examiner: There is a lack of understanding around the role of, and consensus regarding, the effectiveness of the professional recruitment firm OB Brussels (p19).

Recommendation 5

Independent examiner's final recommendation: A professional recruiting consultant should continue to be involved in the role of identifying potential Board candidates. The role of the recruiting consultant should be clarified and published.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps		

Issue 6

Issue identified by the independent examiner: The role and effectiveness of the professional evaluation firm (previously OB Frankfurt), generates some disagreement within the ICANN community (p21).

Recommendation 6

Independent examiner's final recommendation: A professional evaluation consultant should continue to be involved in the evaluation process for Board candidates. The role of the evaluation consultant should be clarified and published.

	Y / N	Level of Consensus*
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High-level summary of proposed implementation steps

Issue 7

Issue identified by the independent examiner: The NomCom term length of one year, even if often renewed for a second year, may not allow for sufficient learning and engagement of members (p22).

Recommendation 7

Independent examiner's final recommendation: NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Issue 8

Issue identified by the independent examiner: The current size of the NomCom is appropriate (p23).

Recommendation 8

Independent examiner's final recommendation: Maintain the current size of NomCom.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Issue 9

Issue identified by the independent examiner: There is concern over the role and participation of non-voting members (p24).

Recommendation 9

Independent examiner's final recommendation: All NomCom members should be fully participating and voting members, except for NomCom leadership.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Issue 10

Issue identified by the independent examiner: There is concern that the NomCom may not accurately represent constituencies (both across SOs/ACs and within SOs/ACs) (p25).

Recommendation 10

Independent examiner's final recommendation: Representation on the NomCom should be re-balanced immediately and then be reviewed every five years.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 11

Issue identified by the independent examiner: There is concern that the NomCom staff is under-resourced, which has affected the functioning of the NomCom (p26).

Recommendation 11

Independent examiner's final recommendation: The senior staff member supporting NomCom should be accountable to and report to the office of the CEO.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps		

Issue 12

Issue identified by the independent examiner: There is concern that the NomCom staff is under-resourced, which has affected the functioning of the NomCom (p26).

Recommendation 12

Independent examiner's final recommendation: NomCom leadership should have input on the NomCom budget and staffing resources.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 13

Issue identified by the independent examiner: The NomCom has made progress in increasing the extent to which it preserves policies and procedures from year to year, however, it still “reinvents the wheel” on many process issues and exhibits a lack of continuity (p27).

Recommendation 13

Independent examiner’s final recommendation: Publish a “Process Diagram” and codify key elements of the NomCom process. Each year, the NomCom should be required to highlight and explain process changes to the ICANN community in an open session.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 14

Issue identified by the independent examiner: There is a lack of communication between the NomCom and Board/SOs/ACs regarding the desired skills and competencies of potential candidates. In addition, the Board and SOs/ACs sometimes struggle to reach consensus on what they need and do not have an effective way to communicate to the NomCom if current appointees should be re-appointed (p29).

Recommendation 14

Independent examiner's final recommendation: Formalize communication between the NomCom and the Board, SOs/ACs, and the PTI Board in order to understand needed competencies and experience.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 15

Issue identified by the independent examiner: There is a lack of communication between the NomCom and Board/SOs/ACs regarding the desired skills and competencies of potential candidates. In addition, the Board and SOs/ACs sometimes struggle to reach consensus on what they need and do not have an effective way to communicate to the NomCom if current appointees should be re-appointed (p29).

Recommendation 15

Independent examiner's final recommendation: The NomCom should publish detailed job descriptions for Board, SO/AC, and PTI Board positions. The job descriptions, in combination with specific needed competencies identified each year by the NomCom, should form the basis for recruiting and evaluation efforts.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 16

Issue identified by the independent examiner: There is a lack of communication between the NomCom and Board/SOs/ACs regarding the desired skills and competencies of potential candidates. In addition, the Board and SOs/ACs sometimes struggle to reach consensus on what they need and do not have an effective way to communicate to the NomCom if current appointees should be re-appointed (p29).

Recommendation 16

Independent examiner's final recommendation: Implement and codify a system for providing feedback to the NomCom regarding the contributions and participation of members up for reappointment by the NomCom.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 17

Issue identified by the independent examiner: There is some disagreement over whether the NomCom should incorporate additional diversity requirements for its appointees (p35).

Recommendation 17

Independent examiner's final recommendation: Maintain current diversity requirements for NomCom appointees.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Issue 18

Issue identified by the independent examiner: Several candidates expressed negative experiences regarding their interactions with the NomCom (p36).

Recommendation 18

Independent examiner's final recommendation: Publish a candidate communication schedule and codify a communication process with candidates.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Issue 19

Issue identified by the independent examiner: The NomCom should continue to increase the diversity of the candidate pool (p37).

Recommendation 19

Independent examiner's final recommendation: ICANN staff and the recruiting consultant, along with NomCom members, should leverage the detailed job description and desired competencies and experience to develop a marketing plan to better target prospective candidates.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 20

Issue identified by the independent examiner: The NomCom does not always evaluate candidates in a consistent manner (p38).

Recommendation 20

Independent examiner's final recommendation: The evaluation consultant should undertake a preliminary screen of all Board candidates and provide blinded assessments to the NomCom to assist the NomCom with reducing the pool of candidates to the deep-dive shortlist.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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High-level summary of proposed implementation steps

Issue 21

Issue identified by the independent examiner: The NomCom does not always evaluate candidates in a consistent manner (p38).

Recommendation 21

Independent examiner's final recommendation: The NomCom should use a standardized tool to evaluate and prioritize candidates, based on desired competencies and experience as determined annually. This tool will not replace qualitative assessments of candidates.

	Y/ N	Level of Consensus*
		(*As defined by the GNSO Working Group Guidelines)
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Issue 22

Issue identified by the independent examiner: The NomCom does not always evaluate candidates in a consistent manner (p38).

Recommendation 22

Independent examiner's final recommendation: The NomCom should provide consistent interview questions and an interviewer evaluation form for the candidates interviewed during the deepdive phase and the final face-to-face interviews.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
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Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		

High-level summary of proposed implementation steps

Issue 23

Issue identified by the independent examiner: The NomCom has made significant progress in becoming more transparent, but transparency of its processes is still a concern within parts of the ICANN community (p42).

Recommendation 23

Independent examiner's final recommendation: The NomCom should publish additional data on the candidate pool and the recruiting source of candidates.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
If IPT suggests a revised recommendation, please state the suggested revised recommendation along with supporting rationale.		
Review Working Party comments		
Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		
High-level summary of proposed implementation steps		

Issue 24

Issue identified by the independent examiner: None identified.

Recommendation 24

Independent examiner's final recommendation: An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomComs, and in particular, to suggest and assist in implementing changes to NomCom processes.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
If IPT suggests a revised recommendation, please state the suggested revised recommendation along with supporting rationale.		
Review Working Party comments		
Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		

High-level summary of proposed implementation steps

Issue 25

Issue identified by the independent examiner: None identified.

Recommendation 25

Independent examiner's final recommendation: Inform assessments of the NomCom by assessing the performance of the Board.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
If IPT suggests a revised recommendation, please state the suggested revised recommendation along with supporting rationale.		
Review Working Party comments		
Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		
High-level summary of proposed implementation steps		

Issue 26

Issue identified by the independent examiner: None identified.

Recommendation 26

Independent examiner's final recommendation: ICANN should investigate advancing its nominations process into a Leadership Development function.

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
If IPT suggests a revised recommendation, please state the suggested revised recommendation along with supporting rationale.		
Review Working Party comments		
Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		
High-level summary of proposed implementation steps		

Issue 27

Issue identified by the independent examiner: The extent to which NomCom appointees are independent and prioritize the interests of the global Internet community in their decision-making is an area of concern within ICANN (p44).

Recommendation 27

Independent examiner's final recommendation: Provide clarity on desire for independent directors and designate three specific seats for "Independent Directors."

	Y/ N	Level of Consensus* (*As defined by the GNSO Working Group Guidelines)
Does IPT support the issue?		
Does IPT support the recommendation?		
Does IPT suggest a revised recommendation?		
Does IPT support the revised recommendation?		
Additional Details & Comments		
If IPT does not support the independent examiner's final recommendation, please provide rationale.		
If IPT suggests a revised recommendation, please state the suggested revised recommendation along with supporting rationale.		
Review Working Party comments		
Activities, if any, on which implementation is dependent, or that are dependent on implementation of this recommendation		
Categorization		
Who will implement the recommendation: ICANN community, ICANN Board, ICANN organization, other?		
Anticipated resource requirements (FTEs, tools)		
Expected budget implications		
Priority (High, Medium, Low)		
Benefit (High, Medium, Low)		
Implementation effort (High, Medium, Low)		
How long after the Board decision can this be implemented?		
High-level summary of proposed implementation steps		

ANNEX 1: Background

An independent review of ICANN's Nominating Committee (NomCom) is mandated by ICANN's Bylaws, [Section 4.4](#), and is part of ICANN's commitment to its own evolution and improvement, accountability and transparency.

Timeline

In June 2017, the ICANN Board appointed Analysis Group to perform the second review of the NomCom. Analysis Group issued its assessment report for community input on 10 January 2018. The goal of the assessment report was to achieve a maximum agreement between the wider ICANN community and the independent examiner as to which areas of the NomCom work well and which may benefit from improvements. No recommendations are included in the assessment report.

On 27 March 2018, Analysis Group published its [draft final report](#) for [public comment](#) for a period of 41 days. [Ten comments](#) were submitted to the public comment forum. Analysis Group published its final report on 5 June 2018. The [final report](#) includes an assessment of the NomCom and 27 recommendations for improving its operations. Based on the [final report](#), this Feasibility Assessment and Initial Implementation Plan has been prepared by the IPT and will be presented to the Organizational Effectiveness Committee of the ICANN Board (OEC) to inform its recommendation to the Board on next steps.

Scope of Review

In addition to assessing the effectiveness of the improvements resulting from the previous NomCom Review conducted in 2007, the [scope](#) of this NomCom review was to:

1. Assess whether the NomCom has a continuing purpose within the ICANN structure;
2. Assess how effectively the NomCom fulfills its purpose and whether any change in structure or operations is needed to improve effectiveness, in accordance with the ICANN-provided objective and quantifiable criteria;
 - a. assess NomCom nominating cycles from 2011 onwards with regard to the effectiveness of the appointments by the NomCom selection process, without conducting performance assessments of individual NomCom appointees;
 - b. assess the composition and size of NomCom;
3. Assess the extent to which the NomCom as a whole is accountable to the wider ICANN community, its organizations, committees, constituencies, and stakeholder groups to make effective selections.

Role of the Review Working Party

The NomCom2 Review Working Party (RWP), acting as a steering committee, serves as the primary group working on the NomCom2 review. RWP membership information can be found [here](#). The roles and responsibilities of the RWP include:

- Share input into review scope and IE selection criteria
- Provide community outreach support
- Share input into data collection – online survey and interviews
- Provide clarification and factual corrections throughout the review

Role of the IPT

The IPT began its work in July 2018 and is responsible for:

- Establishing the IPT's level of agreement with the final report
- Assessing feasibility of recommendations
- Providing proposed alternatives if there is a disagreement with the feasibility of the IE's recommendations
- Providing detailed rationale for each rejected assessment or recommendations
- Based on the above work, compiling a Feasibility Assessment and Initial Implementation Plan (FAIIP)
- Presenting FAIIP to the OEC

IPT membership information can be found [here](#).