

NomComRIWG Outreach

[Subject]

NomComRIWG
31 January 2020



TABLE OF CONTENTS

Rec. 1:	3
Rec. 2:	11
Rec. 3:	12
Rec. 4:	14
Rec. 2,3,4	15
Rec. 5:	16
Rec. 6:	17
Rec. 7:	18
Rec. 9:	21
Rec. 8, 9, 10	22
Rec. 14:	24
Rec. 16:	26
Rec. 18:	28
Rec. 19:	29
Rec. 20:	30
Rec. 21:	31
Rec. 22:	33
Rec. 23:	35
Rec. 25:	36
Rec. 26:	38

Rec. 1:

Formalize a job description for NomCom members that emphasizes experience, diversity, independence, and provide that description to the SOs/ACs.

- **Please provide any document(s) you have that describes the roles and responsibilities for NomCom members, other than what is in the Bylaws requirements**

NomCom LT:

The NomCom uses a detailed procedures document as well as a participation agreement that every member is expected to read.

- What specific content would you like to see in a 'job description' utilized by SOs/ACs for future NomCom members?

NomCom LT:

Relevant understanding of ICANN as well as ability to work in a collaborative environment.

- **In your opinion, what experiences and other applicable criteria make a productive NomCom member?**
- **Since the NomComRIWG may propose changes to the appointment process of NomCom members:**
 - **what is your annual timetable to select NomCom members?**

ASO:

The timetable for 2019:

Announcement of call for nominations for 2020 ICANN NomCom: 5 July 2019

Nomination period ends: 28 July 2019

Evaluation of nominations by the ASO AC: 28 July – 7 August 2019

Voting period by the ASO AC: 7 August – 14 August 2019

Announcement of selected delegate: 15 August 2019

ISPCPC:

We're coordinating with the NomCom timetable requirements.

RySG:

Elections are generally held second quarter of each year and appointments confirmed in June.

ALAC:

The ALAC generally appoints the ALAC Voting Delegates to the NomCom, using an agreed-upon process that includes input from the Regional At-Large Organizations (RALOs) by no later than June. RALO members are invited to recommend a delegate for the ALAC to appoint as an ALAC Voting Delegate.

RSSAC:

June - Begin NomCom liaison election process
July - Continue NomCom liaison election process
August - Finish NomCom liaison election process

SSAC:

The SSAC Admin Committee issues a call for volunteers when the SSAC Chair receives an invitation from the NomCom Chair. The call for volunteers usually lasts 1-2 weeks. A subsequent SSAC election, if needed, takes another 1-2 weeks.

IETF:

Solicitation of nominations (4 weeks)
Call for community feedback on candidates (4 weeks)
Interviews by IAB: (2 weeks)
Announcement of selection by IAB: (After candidates notified)
The process is designed to allow the interviews to take place during the second IETF of the year, so the start varies slightly.

○ Do you always adhere to your timetable? Why not?

ASO:

The timetable is set each year based on timing to fit the calendar. Additionally, it has been moved forward based on requests from the NomCom to provide our appointed member earlier.

ISPCPC:

Mostly.

ALAC:

If needed, the ALAC could start the election process earlier to aim to complete the appointment in May.

RSSAC:

Yes.

SSAC:

Yes.

IETF:

We have been late on occasion, if the interviews were difficult to schedule, though not generally by more than week.

○ Would you be able to select a candidate earlier in the year, if not what are the obstacles?

ASO:

The request can be considered, If appropriate notice and rationale is given by the NomCom. The final date requested by the NomCom should be available in the prior year to allow for calendaring.

ISPCPC:

The candidates' pool for NomCom, ISPCP officers and GNSO council members elections is to be coordinated in a certain way.

RySG:

It is unlikely that we would want to hold elections any earlier than we already do for appointments that effectively take their seats at the ICANN AGM.

ALAC:

At time delays occur due to either a voting issue within the RALOs, or the need for the ALAC to review, and at times, replace, the RALO suggested Delegate.

RSSAC:

Yes.

SSAC:

Yes. SSAC can appoint candidates at any time of the year. The process and the time the process takes is described above. It would be very helpful to know at the start of such candidate selection time if the expected appointment would be for one or two years.

IETF:

We could shift the selection easily so that the interviews took place during the first IETF of a year (generally March). Shifting it to so there was no overlap with an IETF is also possible, but it would likely mean all candidates got a remote interview.

● **What document do you have that describes the roles and responsibilities for NomCom members?**

ASO:

The roles and responsibilities are set out as part of the call for nominations. No additional formal documents are utilised. <https://aso.icann.org/nomination-call-for-aso-representative-to-2020-icann-nominating-committee/>.

ISPCPC:

We're just updating the ISPCP constituency charter where some description shall be included - in accordance with the bylaws.

RySG:

None.

ALAC:

The ALAC has two types of documents:

1. NomCom Description for ALAC - 2020

ICANN At-Large Advisory Committee

The At-Large Advisory Committee (ALAC) is the ICANN body responsible for representing the voice of the end user in policy and operational discussions. For more information on the work of the ALAC, see <https://atlarge.icann.org/alac>.

To fill vacancies on the ALAC, the NomCom is seeking accomplished persons of integrity, objectivity and intelligence who have:

- a commitment to ICANN's mission and an understanding of the potential impact of ICANN decisions on the global Internet community

-
- ⦿ an understanding of the DNS and the impact of ICANN policy on end-users
 - ⦿ demonstrated capacity for thoughtful group decision-making and sound judgment
 - ⦿ an interest in bottom-up consensus policy building in a real-life environment
 - ⦿ an ability to chair or otherwise provide leadership and support for a multi-stakeholder group working to reach consensus
 - ⦿ the following knowledge, qualities and experiences are specifically sought:
 - ⦿ A strong advocate for the needs and interest of end-users not only those of the region they will represent, but globally
 - ⦿ Experience and skills that bear on gathering, understanding, and communicating the interests of individual users and in group decision-making.
 - ⦿ Consumer protection and or consumer advocacy experience particularly in communications/telecommunication sector
 - ⦿ Specific experience and/or expertise in internet-related policy development.
 - ⦿ An interest in and knowledge of internet governance issues.
 - ⦿ Leadership experience in local or regional internet-related or DNS policy experience in gTLD or ccTLD activities including issues relating to Internationalized Domain Names.
 - ⦿ Ability to work as a team leader bringing perspectives not otherwise reflected in the existing ALAC membership and is intended to diversify the skill and experience sets of the ALAC.
 - ⦿ Strong local networks that will positively enhance the current ALAC and Regionally focused strategic and project planning as they relate to the wider ICANN Strategic plan and ALAC Improvement Implementation.
 - ⦿ Ability and interest to work in a multi-cultural environment.
 - ⦿ a willingness to serve as a volunteer, without compensation other than the reimbursement of certain expenses
 - ⦿ an ability to work and communicate effectively in English (although there is no requirement that English be the candidate's first language)

In filling these positions, the NomCom will be seeking to identify ALAC members who reflect the global diversity of the Internet community and the wide range of technical, commercial and civil society activities that are impacted by the DNS.

Time Commitment and Working Practice

The successful candidates will be appointed to ALAC following the 2020 ICANN Annual Meeting, through the end of the 2021 ICANN Annual Meeting.

The basic responsibilities of an ALAC member involve a minimum of 25-30 hours per month on Committee related activities. This includes participating in online (email) discussions, commenting on/contributing to documents/proposed actions (drafted in English), participating in monthly ALAC telephone conferences (in English), held on the 4th Tuesday of the month, participating in ICANN Working Groups outside of the ALAC and meeting with/making presentations to local and regional organizations.

ALAC members chairing or participating in working groups, taking on an ALAC Leadership Team position or serving as liaisons to other Advisory Committees or to Supporting Organizations, can expect to spend more than these basic hours per month. ALAC members are expected to make a commitment to attend all Committee meetings and to participate actively in policy-related issues and other working groups.

The ALAC operates in a transparent manner and publishes participation statistics on its website. Committee members also will be expected to attend three face-to-face meetings each year held during the ICANN Public Meetings, which generally run about seven days with potentially extensive responsibilities on most days for ALAC members. There may occasionally be additional face-to-face interim meetings or regional meetings.

Position: At Large Advisory Committee (ALAC)

Number of Seats: Two

One (Europe)

One (North America)

Start of Term: After conclusion of Annual Meeting 2020

End of Term: Conclusion of Annual Meeting 2022

For a definition of ICANN's geographic regions see <https://meetings.icann.org/en/regions>. The At-Large Community provides a mechanism for individual user participation in ICANN and ensures that the interests and needs of Internet users are duly considered in ICANN discussions and decisions. Individual users may be consumers, registrants, non-for-profit or profit or business users but the key term is that they are 'individuals'. Users typically participate through user organizations called At-Large Structures (ALS), or as individual members, all of which are grouped into Regional At Large Organizations (RALOs). The ALAC is the entity that oversees all of this and is the formal voice of the At-Large Community within ICANN. ALAC members, like members of other ICANN Advisory Committees, receive no compensation for their services as Committee members. The Board may, however, authorize the reimbursement of the actual and necessary expenses incurred by Advisory Committee members performing their duties as Advisory Committee members. (Bylaws Article 12, Section 12.6.)

The NomCom will use the Criteria for Selection of ICANN Directors (see above) in choosing selectees for ALAC. ALAC members are expected to support the ICANN mission and the implementation of the ICANN Core Values. The NomCom will also take into account the following eligibility factors and additional considerations.

ALAC Eligibility Factors

No person who serves on the NomCom in any capacity is eligible for selection by any means to any position on the ALAC (the Board or any other ICANN body having one or more membership positions that the NomCom is responsible for filling) until the conclusion of an ICANN annual meeting that coincides with, or is after, the conclusion of that person's service on the NomCom. (Bylaws, Article 8, Section 8.8, see <https://www.icann.org/resources/pages/governance/bylaws-en/#article8>)

The five members of the ALAC selected by the NomCom shall include one citizen of a country within each of the five Geographic Regions (Africa; Asia/Australia/Pacific Islands; Europe; Latin America/Caribbean Islands; and North America) established according to Bylaws Article 7, Section 7.5. Only citizens Africa; Asia/Australia/Pacific Islands; and Latin America/Caribbean Islands regions as defined in ICANN's definition of geographic regions <https://meetings.icann.org/en/regions> are eligible for ALAC vacancies in 2017.

Additional Considerations

For the ALAC positions, experience and skills that bear on gathering, understanding, and communicating the interests of individual users would be advantageous. Perspectives not otherwise reflected in the existing ALAC membership would be advantageous, as well as basic knowledge of the DNS. The NomCom's selections for ALAC are intended to diversify the skill and experience sets of the ALAC.

Current composition of the ALAC is available at <https://atlarge.icann.org/alac>. The Bylaws do not state a limit on the number of terms ALAC members may serve.

Time Commitment

The basic responsibilities of an ALAC member demand a time commitment of approximately 25-30 hours per month on Committee related activities, although some ALAC members report spending more time than that. This includes participating in online (email) discussions, commenting on/contributing to documents/proposed actions (drafted in English), participating in monthly ALAC telephone conferences (in English), held on the 4th Tuesday of the month, participating in ICANN Working Groups outside of the ALAC and meeting with/making presentations to, local and regional organizations.

ALAC members serving as liaisons to other Supporting Organizations, ALAC Members who comprise the ALAC Leadership team (1 per region) or ALAC members who take on specific working group responsibilities can expect to spend more than these basic hours per month. In person attendance at three ICANN meetings per year is not included in this monthly time estimate. ICANN has traditionally reimbursed expenses incurred by ALAC members for attending ICANN meetings.

2. Noted on the At-Large Appointment, Election and Selection Workspace:

The following criteria are provided to all members of At-Large who may be interested in applying for a NomCom position or who will play a role in the appointment of the ALAC Delegates to the NomCom.

IMPORTANT: Criteria for NomCom Delegates

The NomCom is responsible for selecting members of the ICANN Board, ALAC, ccNSO and GNSO. This is a very important function and all candidates should meet important criteria.

- ⦿ Familiarity with the ICANN groups to which the NomCom appoints (Board, ALAC, GNSO, ccNSO).
- ⦿ Ability to judge people (such as when interviewing and hiring).
- ⦿ Comfortable and preferably fluent with English (listening, reading, speaking).
- ⦿ Good on-line skills such as on Google & Social media
- ⦿ Time Commitment - Must be willing to devote substantial time under tight deadlines (March-June). Will involve travel to up to 4 meetings.
- ⦿ Ability work in a group environment, standing up for what you believe in a discussion with other "strong" people, but at the same time, must be a good listener and be willing to change your mind if someone else has a good argument. Diplomacy is important.

RSSAC:

RSSAC000v4: RSSAC Operational Procedures

<https://www.icann.org/en/system/files/files/rssac-000-op-procedures-13mar19-en.pdf>.

SSAC:

The SSAC Operational Procedures, Section 2.8.3.3 SSAC Non-Voting Liaison to the ICANN Nominating Committee (<https://www.icann.org/en/system/files/files/operational-procedures-30nov18-en.pdf>).

IETF:

<https://www.iab.org/activities/iab-appointments-and-confirmations/> lists the bylaws as the core reference. The IAB also produces a summary during the call for volunteers; the most recent is here: <https://www.iab.org/2019/06/10/call-for-volunteers-or-nominations-for-the-ietf-delegate-to-the-icann-2020-nominating-committee/>.

● **What specific content would you like to see in a 'job description' for future NomCom members?**

ISPCPC:

Expected type of active participation in course of the various phases

RySG:

- Description of anticipated duties, including desired (nice-to-have) skill sets and expertise (e.g. experience in hiring, particularly for Board or executive-level positions). This could include examples of past NomCom subcommittee so applicants could understand what sorts of work will be required and what specific skills they will bring to the team.
- Description of time commitment expected, particularly as relates to windows or bursts of NomCom activity.

ALAC:

See above

SSAC:

The SSAC does not have any specific content to suggest for the job description for future NomCom members.

IETF:

Discussions of the working methods of the NomCom would be valuable, especially if these are being changes.

● **Which information, if any, on desired diversity would you incorporate into the job description?**

ASO:

If the NomCom has additional requirements, it should be shared as early as possible. The guidance provided should be non-binding to our selection process.

ISPCPC:

Regional and gender diversity. But this cannot be managed on constituency level since only one position is to be filled.

RySG:

Since diversity is a recommendation, we suggest guidance to SO/ACs on the sorts of diversity that benefit NomCom, but we do not recommend the RIWG implement any form of requirement or quotas, as we have to choose only from the pool of competent, willing, and available members (and we should not sacrifice competence for diversity).

ALAC:

The ALAC has global diversity given it appoints five (5) Voting Delegates to the NomCom from each of ICANN's five regions.

RSSAC:

The primary requirements for a nominating committee member should be for competence in their role. Diversity issues (selecting for religion or lack thereof, race, gender, national origin, and geographic location) are secondary - not without value, but a secondary consideration. Selection primarily on a “diversity” basis is a violation of the Civil Rights Act of 1964 as subsequently amended.

SSAC:

None. The SSAC considers that the primary consideration is for NomCom members to have the requisite skills to undertake the role. While diversity is certainly desirable, given that each member of the NomCom is appointed by different entities within the ICANN Community, it is impractical to specify diversity characteristics as requirements.

IETF:

If the NomCom moves to a two-year term, as outlined below, then the ongoing membership should be available to volunteers and the nominating bodies. That will help focus on the diversity aspects (which is difficult for the IAB to do now, since the pool of new members is not as visible).

Rec. 2:

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.

- **Do you believe the NomCom training course to teach an understanding of the skills and attributes required to become a successful Board member at ICANN can be done online or need to be done in person?**

NomCom LT:

I believe that either is possible, but in-person is better.

- **What content should be included in such a course?**

NomCom LT:

An overview of the work of the board, possibly taken from ICANN's Board onboarding process.

Rec. 3:

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.

- **The NomComRIWG is discussing whether it might be useful to have the incoming NomCom Chair selected earlier than is currently the case, not least so that the leadership can undergo appropriate training. What factors determine the current selection cycle and is an earlier selection feasible?**

ICANN Board:

The process for selecting the NomCom Chair and Chair-Elect starts with a call for expressions of interest (EOI), which is typically posted in May each year, calling for a response in June. If a sufficient number of EOIs are received then the call for EOIs will be closed. However, often the Board Governance Committee (BGC) extends the time for EOIs and uses the time during the June policy forum to encourage more EOIs to be submitted. Once the time for submitting EOIs is closed, the BGC then holds telephonic interviews with the candidates. Following conclusion of the interview process, the BGC discusses and confers, and makes a recommendation to the Board for both the NomCom Chair and Chair-Elect; the Board generally acts on the recommendation during its September workshop. Further, since typically the Chair-Elect is a candidate for the Chair position, the BGC's consideration is also informed by the NomCom members' evaluation by the NomCom leadership team members, which includes the Chair-Elect, and which does not take place until after the NomCom completes its selection process, which also happens at the same time as the June policy forum.

The BGC will certainly look at its schedule and see if it makes sense to move its process to earlier in the year, recognizing that it may not have the NomCom members' evaluations to inform its recommendation. That said, one consideration that the Board would like to point out is that either way, the NomCom is appointed from just after the end of one Annual General Meeting to the end of the next. Accordingly, while training is definitely something that the new leadership could take advantage of before formally taking up their positions, no formal conduct of the committee can begin until after the Annual General Meeting. Further, the Board would also suggest that any needed training could take place in conjunction with the Annual Meeting.

- **Do you believe the training course for the NomCom leadership, to teach them about their roles authority and responsibility can be done online or need to be done in person?**

NomCom LT:

I believe that either is possible, but in-person is better.

- What content should be included in such a course?

NomCom LT:

A description of the NomCom process, the particular risks of self- or group-interested voting without regard to the overall objective.

● **When do you feel is the ideal timing for the Chair appointment?**

NomCom LT:

Not sure, but having sufficient time for preparation is key.

Rec. 4:

Formalize training for NomCom members in the candidate evaluation process.

- **Do you believe the training course for the NomCom leadership, to teach them about their roles authority and responsibility can be done online or need to be done in person?**

NomCom LT:

I believe that either is possible, but in-person is better.

- **What content should be included in such a course?**

NomCom LT:

See above, this is a repeat question, but the same information is also relevant to the MEMBERS of the NomCom as opposed to the LEADERSHIP of the NomCom.

- **In addition, we would be keen to hear from you about your experience of the training courses you have received at ICANN64 (Kobe) and how this can be used to designing additional training, compatible with recommendations 2, 3, and 4.**

NomCom LT:

The course was not helpful, very generic hiring stuff not related to ICANN.

- **What would be the content requirements, and logistical dependencies for the training course?**

Rec. 2,3,4

- **If such a course would be in person, what are the logistical dependencies? Assuming that all trainings could be done in 20-25 hours, what would be a feasible time (ICANN AGM?) for such in-person training?**

Rec. 5:

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.

- **Please provide any document you have that describes the role of the recruiting consultant(s)**

NomCom LT:

Defer to Staff.

- **In your view, should this remit be modified or extended?**

NomCom LT:

Not sure.

- **How does the NomCom communicate to the recruiting consultant their role?**
- **Please provide the role of the recruiting consultant and, if applicable, how this may have changed for the past three NomCom cycles**
- **In your view, how should this role be modified or improved?**

Rec. 6:

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.

- **What were the responsibilities of the evaluation consultant when used by the former NomComs and what did and did not work in your opinion?**
- **What needs to change before evaluation consultants are used again by the NomCom?**

Rec. 7:

NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.

- **What concerns do you have, if any, if the NomComRIWG proposes that the SO/AC Name NomCom member is one of the seats appointed for one year in the first cycle and then switched to two-year appointments after that?**

ASO:

One year term is based on the ICANN Bylaws (Section 8.3). It gives the ASO AC the opportunity to review the performance of the appointee and follows our current work plan and overall structure. A change to the number of years would require additional discussion.

ISPCPC:

A two-year term is necessary for continuity reasons and to overcome issues re the learning curve. In case our seat would be appointed for 1 year in the first cycle I would request - as an exception - for the possibility of a 1 + 2-year term for the first appointee. This one should be given the chance to be reappointed by the ISPCP constituency after one year for another two years.

RySG:

None.

RSSAC:

We do not have any concerns.

SSAC:

The SSAC does not have any concerns about its NomCom member only being appointed for one year initially, but does have some concerns about whether SSAC Members will be willing to undertake a two-year commitment, given that the workload essentially precludes their ability to participate in the majority of SSAC activities at ICANN Meetings. To state this differently, with two-year-terms the risk that appointed members may wish to be replaced before the term ends will increase, and will result in the need to fill such voids.

The SSAC notes that the NomCom Implementation Plan dated 15 September 2019 provides the NomCom RIWG with some flexibility regarding the implementation of Recommendation 7. In particular, that plan states at page 19 in its "Task List, Sequencing: Proposed detailed implementation steps":

"2. NomComRIWG to work with ICANN org to draft changes to Bylaws language

- a. NomComRIWG to decide whether term limits are 'consecutive' vs 'life-time' limits.
- b. If term limits refer to consecutive terms, determine the minimum gap between terms
- c. How to deal with NomCom members who have been appointed by different SO/ACs.
- d. NomComRIWG to assess whether past NomCom terms are counted towards the life-time limit in (a).
- e. Decide criteria determining how partial terms served impact the term restrictions."

The SSAC is not aware of any decisions that have been made with regard to issues a. to e. above, and without a detailed proposal from the NomComRIWG on these issues, we are unable to respond to the question that has been posed by the NomComRIWG because SSAC's ability to supply qualified NomCom representatives depends on the answers to a. through e.. Indeed, the SSAC suggests with regard to e. above that it may be more useful to consider a slightly expanded version as follows:

e. Decide criteria determining how partial terms previously served and one-year terms served (past or upcoming, voting or non-voting) are evaluated against the term restrictions.

To pose a question as an example:

If the term limits will be defined as "4 full years served on a NomCom" (along with any other restrictions), SSAC needs sufficient information to understand the eligibility of candidates with past NomCom service.

Just for illustration, say Alice has served previously on the NomCom for two one-year terms, one year as the IETF representative (voting), one year as the SSAC representative (non-voting) and the decision has been made that "there is a two term life-time limit including past service", without further definition of what a "term" is (and whether the limits apply to non-voting SSAC as well as voting IAB terms).

Would Alice be eligible to serve:

- 1) not at all, because they already have served "two terms" under the old definition of "term" (though those original terms would be only two years total)
- 2) a one year (initial) partial term but not a subsequent (consecutive) two year full term (because the prior service of two years would be treated as equivalent to a single full term, and the one year partial term would be treated as her second term)
- 3) a one year (initial) partial term and a subsequent (consecutive) two year full term (but she would have to resign at the end of the first year of the two year term?)
- 4) a one year (initial) partial term and a subsequent (consecutive) two year full term (because the non-voting SSAC partial term does not count toward the term limit, or for the reason noted in (e) below)
- 5) a two year full term but not a (consecutive) subsequent two year term (because the two previous partial terms count as a full term)
- 6) a two year full term and also a subsequent (consecutive) two year term. (because the new term limit rules include a "clean slate" provision that omits any service under the old rules from the calculation)
- 7) something else?

[Note: option c. shouldn't be in the list, as it is formally invalid. It would break the mechanism for establishing staggered appointments. However it is included to demonstrate the complexity and pitfalls of defining terms and term limits.]

By including the above example, the SSAC is not attempting to suggest a particular solution or try to identify every possible scenario that may occur, but simply to point out the importance of specifying very precisely the meaning of "term" and "term limit", as applied to NomCom service, both past or future, voting or non-voting, consecutive or lifetime. It may be that the most sensible way to define "term limit" is in calendar years of service. No doubt the NomComRIWG are already well aware of such complications.

If NomComRIWG have already produced such a detailed proposal regarding terms and term limits, then we would welcome that information so that we may answer the question regarding concerns about the first cycle.

IETF:

Our general practice is to limit the number of consecutive terms an individual can serve in this role before taking a break. If the IETF NomCom member for this year is switched to a two-year appointment, then the amount of time served will still be two consecutive years. If it is made later, we might have a longer than normal set of consecutive years of service; an exception could be made for this, if desired. We would, of course, have to confirm with the appointee that they are available for the second year.

Rec. 9:

All NomCom members should be fully participating and voting members, except for NomCom leadership.

- **Aside from the ICANN Bylaws changes, does your organization need to amend its charter or applicable operating document to ensure that all NomCom members will be fully participating and voting.**

RSSAC:

Specifically, RSSAC000 identifies that the individual is a "liaison" - A person who establishes and maintains communication for mutual understanding and cooperation, not a participant in the decision. We would need to adjust that language to include a potentially voting member. We would also need to adjust terms and term limits.

SSAC:

Yes, the SSAC will need to update its Operational Procedures to indicate the SSAC representative on the ICANN Nominating Committee is a voting NomCom member and will no longer be called the SSAC Liaison to the NomCom.

Rec. 8, 9, 10

- **Is the GAC planning to continue to not make appointments to the NomCom?**

GAC:

GAC Members continue to explore the potential for future GAC appointments to the Nominating Committee and treat each year as a new opportunity to consider making an appointment. The GAC has formed a special working group to help facilitate GAC consideration of NomCom participation and each year GAC Members explore the opportunity to explore the potential for a GAC appointment to the NomCom. The lack of an GAC appointment in any given year should not create an assumption that no future appointments will be made.

- **The GAC has indicated they are not planning to make any appointment to the NomCom but would like to keep that seat open. Please explain why the GAC is reluctant to fill that seat.**

GAC:

In recent years the GAC has not achieved a consensus about the appointment of a NomCom representative, but the resulting vacancies during several NomComs should not be interpreted to mean that the GAC will never make an appointment in the future. As explained by some GAC members in the past, certain NomCom processes and procedural considerations (e.g., the requirement for confidentiality) have been noted as creating problems of accountability and transparency for the GAC. This has caused some GAC members to not support making a GAC appointment to the NomCom. The flexibility to make or not make an appointment to the NomCom in any given year should not be changed due to the anticipation of future action or inaction due to the GAC's internal consensus process. As an alternative to making appointments to the NomCom, the past two years the GAC has provided the Nom Com with guidance as to the skills and capabilities that the NomCom should consider in making appointments to the Board. That practice has provided GAC members with a capability to contribute to the NomCom, during those years when an appointment is not made.

- **If the GAC is not planning to make appointments to the NomCom for the foreseeable future, should the GAC seat on the NomCom be preserved or can it be 'reallocated' during the re-balancing process? Please, provide a rationale for your answers.**

GAC:

The GAC NomCom seat should be preserved. The flexibility for the GAC to make or not make an appointment to the NomCom in any given year should not be changed due to the anticipation of future action or inaction by the GAC. The lack of a GAC appointee in any given year should not affect the balance of the NomCom membership or prompt any further need to consider re-balancing as it relates to potential government participation in the NomCom. Given the current large number of community appointees on the NomCom, the lack of a GAC appointment in any given year should also not be viewed as impacting the balance for any community other than governments. If it would facilitate annual NomCom

planning, perhaps the annual NomCom appointment timetable could be revised to get an early indication of whether the GAC intends to make an appointment in any given year.

Rec. 14:

Formalize communication between the NomCom and the Board, SOs/ACs, and the PTI Board to understand needed competencies and experience.

- **What information regarding desired competencies and experience of future NomCom appointees to the Board do you currently share with the NomCom? For the past three years, when have has the Board typically communicated these to the NomCom?**

ICANN Board:

Annually the Board provides guidance to the newly seated NomCom in the form of a formal letter (see <https://www.icann.org/en/system/files/files/icann-board-guidance-nomcom-regarding-important-skills-06dec19-en.pdf> for the latest letter). For the past three years this guidance has been provided to the NomCom in December, however, at meeting when each new NomCom is seated, the BGC meets with the NomCom members and provides them with a preview of what the guidance in the formal letter will say. In addition, at each ICANN Public meeting, the BGC and the NomCom meet to discuss any further guidance or questions that the NomCom might have throughout its selection process.

- **What information regarding competencies and experience do you currently receive from the bodies to which you make appointments?**

NomCom LT:

A short letter from each.

- For the past three years, when have you received these?

NomCom LT:

Yes.

- **Is there additional information that could be shared between the NomCom and the *SO/AC NAME* so that the NomCom can better target its selection to the needs of the *SO/AC NAME*?**

GNSO Council:

Information currently shared between the Council and the NomCom focuses mainly on updating position descriptions and selection criteria. There have also been informal exchanges between the NomCom and Council leadership. Information sharing could be expanded to include the suggestions made in response to questions on Recommendations 16, 21, 22 and 25, below.

ALAC:

One of the most important referees for an ALAC position is the ALAC Chair who works closely with all ALAC members and is therefore most suitably placed to share their views and provide very useful insight into the performance of current NomCom Selectees. This first-hand information would allow the NomCom to build an information base that is relevant to the position and specific to the current needs of particular appointees to a specific position. This would be pertinent to all SO-AC Chairs. A very recent situation arose where one of our most active and critically important participants in a long term specifically targeted

cross community discussion involving a vitally important ICANN issue was sidelined by someone who, even since before he took up his new seat, has been openly critical of the leadership of At-Large and the way that At-Large operates. Despite being rejected by the NomCom, this particular applicant for a NomCom position has remained committed to the interests of Internet end users which is the At-Large mandate, while her replacement as a NomCom appointee to the ALAC spends most of his time vilifying the At-Large Leader and anyone else who tries to reason with him. This appointment has certainly lost the credibility of and trust in the NomCom process by many of the At-Large community. It demonstrates how important it is that the NomCom actually listens to those who matter when it comes to who best to fill the vacant positions, so that the ALAC can become a more efficient and effective mechanism within the ICANN ecosystem.

- **Which information, if any, on desired diversity would you add in your annual communication/advice to the NomCom?**

Rec. 16:

Implement and codify a system for providing feedback to the NomCom regarding the contributions and participation of members up for re-appointment by the NomCom.

- **What information pertaining to recommendation 16 do you usually share with the NomCom, and when does such communications usually take place in the annual NomCom cycle?**

ICANN Board:

The Board members complete a short survey about those Board members who are seeking re-appointment; the results of that survey are shared in confidence with the NomCom. The present goal is to get this information to the NomCom sometime in early June each year.

- **In your opinion, what additional information pertaining to recommendation 16 could be shared between the Board and the NomCom?**

ICANN BOARD:

The survey described in the response above was developed over time, with input from outside experts, based on the information that the Board and individual Board members were comfortable sharing. This past year the short survey was revised to reflect suggestions by the NomCom, responses to which the NomCom thought could help be more informative to the NomCom Board-member selection process. The Board will certainly consider any further relevant requests for information from the NomCom and is happy to include in a discussion with the NomCom members a discussion about what additional information would be useful to them in this regard.

- **What information do you currently share with the NomCom, and what is the timing of these communications?**

GNSO Council:

Feedback to the NomCom from Council on such matters is currently informal and is generally not structured or documented (except for meeting transcripts and records).

ALAC:

The ALAC shares an updated description: NomCom Description for ALAC – 2020 (see full text above) with the NomCom support staff who will forward it to the NomCom.

- **In your opinion, what additional information could be shared between you and the NomCom?**

GNSO Council:

It would be helpful if Council and the NomCom could exchange information on all potential NomCom appointees (including but not limited to those up for re-appointment), timed to contribute meaningfully to the NomCom's appointment timelines. In addition, conducting exit interviews for all outgoing NomCom appointees would provide valuable feedback for both the NomCom and the Council in continuously improving procedures. This could be conducted either by the NomCom or Council leadership, and in any event the outcomes should be shared with the NomCom.

ALAC:

The ALAC Chair should be asked for their opinion on the performance of current NomCom appointees to the ALAC seeking re-appointment. The insight of the Chair of their performance would provide extremely relevant and useful information to the NomCom on their performance.

Rec. 18:

Publish a candidate communication schedule and codify a communication process with candidates.

- **Please describe the candidate communications process, and how, if applicable, it has varied over the past three to five cycles.**

NomCom LT:

Status reports have been provided, but should be more frequent and more timely.

- **What improvements would you suggest to this process?**

NomCom LT:

See above

Rec. 19:

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.

- **What are the current outreach and marketing efforts with regard to ensuring a diverse candidate pool in response to the NomCom's annual recruitment efforts, and how has it changed over the three to five years?**

Rec. 20:

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.

- **We understand that the NomCom decided not to utilize an evaluation consultant for the recent NomCom cycles. Please explain why this decision was reached**

NomCom LT:

This service has not proven very helpful in the past.

- **What improvements or changes would be needed if future NomComs decided to utilize an evaluation consultant?**

NomCom LT:

It would have to be someone with extensive knowledge of ICANN. This is obviously not easy to find :-)

- **If you were to receive a deep-dive shortlist of blindly assessed candidates by the evaluation consultant(s), what information must be included for the NomCom to make an informed selection from this reduced pool of candidates?**

Rec. 21:

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.

- **In your opinion, what tools, assessments and skill analysis should be used by the NomCom to make the best possible selection?**

ICANN Board:

The Board is hesitant to suggest how the NomCom should endeavor to complete its important work, nor does the Board have expertise in this area. The Board does understand that over the years the NomCom has used professional recruitment firms to assist in the NomCom's candidate identification process and would recommend that this question be posed to those or other similar professionals in the candidate recruitment and selection industry.

GNSO Council:

Some guidance from specialised recruitment firms, especially those with experience of filling ICANN positions, would be helpful and the Council would be interested in participating in any discussions. The Council would be particularly interested in exploring options for understanding the motivation of the candidate to participate in the work of the Council and their commitment to meaningful engagement.

ALAC:

We support the NomCom conducting research into the best tools, assessments and skills analysis to be used for a multi-stakeholder membership organization. We would request that the NomCom present their findings to the SOACs following a thorough review of such tools.

RSSAC:

If the purpose of the NomCom is selection of ICANN leadership, and its primary qualification for same is competence in the role, the tools, assessments, and skills of a NomCom member should include experience and wisdom, plus the ability to access the history of an organization and its members.

SSAC:

The SSAC agrees that, while the desired competencies and experience may vary annually, the tools used to support NomCom work should vary less frequently. They should be reviewed on a regular basis to incorporate improvements and from time to time, a new technology may warrant the introduction of a new tool. However, in general, processes and tools should not need to be reinvented each year for a new NomCom group.

- **Which tools and processes to evaluate and prioritize candidates are you planning to use during this NomCom cycle?**

NomCom LT:

This is still under discussion.

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- **What new tools would you recommend be made available for NomCom's use?**

NomCom LT:

Online tools that allow sharing of information between NomCom members.

- In your opinion, what tools, assessments and skills analysis should be used by the NomCom to make the best possible selection.

Rec. 22:

The NomCom should provide consistent interview questions and an interviewer evaluation form for the candidates interviewed during the deep-dive phase and the final face-to-face interviews.

- **In your opinion, which questions should be part of the "interview question library" and which would then be used by every NomCom?**

ICANN Board:

The Board is hesitant to suggest specific questions for the NomCom to ask of candidates for any ICANN leadership position. Further, the Board does not know whether the NomCom already has an interview question library or forms in place. That said, as it relates to the potential Board members being interviewed, the Board points to the guidance letters that the Board provides the NomCom with each year, as well as the Board member criteria set forth in the Bylaws at Article 7, sections 7.3 and 7.4, to help inform the drafting of standard interview questions.

GNSO Council:

As noted in discussions between the Council and NomCom leadership at ICANN64, NomCom should consider -- budget permitting -- live (or at least virtual) interviews of all short-listed candidates for all positions, not just Board positions. This would help full and consistent understanding of a candidate's claims across all NomCom members.

Consider including the following issues to be addressed in a "question library":

- Motivation;
- Commitment;
- Elaboration of any potentially problematic issues in a candidate's Statement of Interest;
- Proven understanding of ICANN and GNSO structures and processes, including the distinction between the Contracted and Non-Contracted Parties Houses.

ALAC:

We support the NomCom conducting research into an appropriate set of interview questions to be placed into a 'library' for a multi-stakeholder membership organization. We believe such a set of questions should be flexible and globally relevant. We would request that the NomCom present a draft set of questions to the SOACs for review.

RSSAC:

For RSSAC consideration, we would wonder about their familiarity with the DNS, the RSS and its member RSOs, and their operational concerns.

SSAC:

The SSAC would like to see questions on technical expertise related to security and stability included in the "interview question library" for the candidates. However, it is unnecessarily limiting to require every NomCom to only ask questions from an "interview question library" and it is not best practice, either. Instead, most interviews should stick to a defined set of criteria/skills/experience and behaviors that must be explored, and define what kind of questions are off-limits. During a specific NomCom's term, it is important that all candidates are asked the same set of questions, but it is of little value to require the same questions to carry over to a subsequent NomCom, since the positions and the skills that need to be reviewed in each year is different from the prior year.

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- **What questions and evaluation tools are NoCom members planning to use during the upcoming deep-dive and final interview phases?**

NomCom LT:

This will be developed by the relevant sub-committee.

- **In your view, what questions and tools should be part of the "interview question library" which could be used by every NomCom going forward?**

NomCom LT:

The NomCom has in the past used a template for this purpose. The template has evolved over time and will continue to evolve. Making it available to future NomComs is of course a good idea.

- **How does the NomCom capture the actual interview questions asked of prospective candidates?**

NomCom LT:

Notes taken by members. Discussion following interviews.

Rec. 23:

The NomCom should publish additional data on the candidate pool and the recruiting source of candidates.

- **Does the Board believe additional non-confidential, non-identifiable data points about the candidate pool should be collected and published by the NomCom, if so, which ones?**

ICANN BOARD:

The Board is fully supportive of as much transparency as possible into the candidate pool to the extent that such transparency does not divulge confidential or private candidate information. The Board notes that the NomCom already has a practice of reporting on the number of candidates from each geographic region as well as gender. Since the Board is not aware of the other data points that the NomCom collects as part of its process, it is difficult to suggest what data points should be published.

- **What data points about the candidate pool have been gathered by the NomComs over the past 3-5 years?**
- **What data about the candidate pool has been published over the past five years?**
- **Is there any non-confidential, non-identifiable data that has not been made public, if so, why?**
- **Is there any additional non-confidential, non-identifiable data points about the candidate pool that you recommend be collected?**

Rec. 25:

Improve NomCom selection decisions by assessing the performance and needs of all bodies receiving NomCom appointees.

- **Is the ICANN Board performing any self-assessments, or third-party assessments pertaining to recommendation 25? If applicable, how do you communicate the outcome of such assessment to the NomCom? What performance assessment, if any, do you think is feasible by the ICANN Board to better inform future NomCom selection decisions.**

The ICANN Board performs a Board self-assessment every two years. The last one was completed in 2018. In terms of reporting about the results, in 2018 the Board Chair posted a blog identifying the Key Take-Aways from the Board self-assessment (<https://www.icann.org/news/blog/chair-s-blog-key-take-aways-from-the-board-s-360-evaluation>). The intent is for the Chair to do so again after the 2020 Board self-assessment is completed and evaluated by the Board. The Board will make a point to ensure that the link to this blog will be shared directly with the NomCom once it is posted.

- **Is the SO/AC NAME performing any self/assessments, or third-party assessments?**

GNSO Council:

The GNSO is subject to periodic organizational review in accordance with the ICANN Bylaws.

ALAC:

The ALAC does not perform formal self-assessments or third-party assessments of individual performance of NomCom appointees. However, as noted above, the Chair of the ALAC has in the past provided assessments of current NomCom appointees who are seeking re-appointment. However, the ALAC does provide an annual description of skills and criteria needed for their NomCom appointees to the ALAC. See below.

- **If yes, are there any identified skills needed for future NomCom appointees to your organization?**

GNSO Council:

Please see the Council response to periodic requests from the NomCom to update selection criteria for appointed positions. The latest Council response (<https://gnso.icann.org/sites/default/files/file/field-file-attach/gnso-council-to-nomcom-staff-15dec19-en.pdf>) was sent to the NomCom on 15 December 2019.

ALAC:

From the Annual Description:

- a commitment to ICANN's mission and an understanding of the potential impact of ICANN decisions on the global Internet community
- an understanding of the DNS and the impact of ICANN policy on end-users
- demonstrated capacity for thoughtful group decision-making and sound judgment

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- ⦿ an interest in bottom-up consensus policy building in a real-life environment
 - ⦿ an ability to chair or otherwise provide leadership and support for a multi-stakeholder group working to reach consensus
 - ⦿ the following knowledge, qualities and experiences are specifically sought:
 - ⦿ A strong advocate for the needs and interest of end-users not only those of the region they will represent, but globally
 - ⦿ Experience and skills that bear on gathering, understanding, and communicating the interests of individual users and in group decision-making.
 - ⦿ Consumer protection and or consumer advocacy experience particularly in communications/telecommunication sector
 - ⦿ Specific experience and/or expertise in internet-related policy development.
 - ⦿ An interest in and knowledge of internet governance issues.
 - ⦿ Leadership experience in local or regional internet-related or DNS policy experience in gTLD or ccTLD activities including issues relating to Internationalized Domain Names.
 - ⦿ Ability to work as a team leader bringing perspectives not otherwise reflected in the existing ALAC membership and is intended to diversify the skill and experience sets of the ALAC.
 - ⦿ Strong local networks that will positively enhance the current ALAC and Regionally focused strategic and project planning as they relate to the wider ICANN Strategic plan and ALAC Improvement Implementation.
 - ⦿ Ability and interest to work in a multi-cultural environment.
 - ⦿ a willingness to serve as a volunteer, without compensation other than the reimbursement of certain expenses
 - ⦿ an ability to work and communicate effectively in English (although there is no requirement that English be the candidate's first language)
 - ⦿ If applicable, how do you communicate this to the NomCom?

GNSO Council:

The Council communicated to the NomCom via email, per NomCom's request.

ALAC:

Through the annual NomCom Description (see above) that is sent to NomCom support Staff. This document is updated on an annual basis and relevant skills for the ALAC are reviewed and incorporated.

- ⦿ **What performance assessment, if any, do you think is feasible by the ALAC to improve future NomCom selection decisions.**

GNSO Council:

Please see the Council response to Q2 under Recommendation 16, specifically regarding the exit interview.

ALAC:

The ALAC might consider conducting a performance assessment of current NomCom Appointees to identify necessary skills in future NomCom Appointees to the ALAC.

Rec. 26:

ICANN should investigate advancing its nominations process into a Leadership Development function.

- **In your experience, could rejected candidates, who have no prior relationship with ICANN, be interested in such a program? What problems and what opportunities can you think of?**

