

**Chat Transcript – NomComRIWG – Thursday, 3 September 2020 – Meeting #52**  
Meeting #52 - NomCom Review Implementation Working Group (NomComRIWG) –  
Thursday, 3 September 2020 @ 19:00 UTC!

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**Proposed Draft Agenda**

1. Roll Call + SOI Updates
2. Rec. 10: Input received from GNSO Chairs
  - a. IPC |
  - b. BC
  - c. ISPCP
3. Bylaw updates: [GDOC \[docs.google.com\]](#)
4. Rec. 27: Independent Directors: [GDOC \[docs.google.com\]](#)
5. Rec. 24: Standing Committee Process Diagram: [GDOC \[docs.google.com\]](#)
6. Next Meeting
7. A.O.B.

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Action Items: <https://community.icann.org/x/g4OGBg>

SOI blank form: <https://community.icann.org/x/bhplBg>

Standard Rules of Behavior: <https://www.icann.org/resources/pages/expected-standards-2016-06-28-en>

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12:00:23 From Nadira AL-ARAJ : hello all,

12:00:59 From Leahsymekher : hi all, Leah here

12:01:04 From Nadira AL-ARAJ : apologies for missing two consecutive meetings

12:01:31 From Yvette Guigneaux : No worries Nadira, welcome

12:01:39 From Vanda Scartezini : HI everyone..

12:03:46 From Yvette Guigneaux : Hi all, welcome

12:04:40 From Vanda Scartezini : well I do agree with their position ..

12:04:45 From Dave Kissoondoyal : hello everyone. sorry for being late

12:06:44 From Vanda Scartezini : + 1 Cheryl...

12:08:17 From Cheryl Langdon-Orr : it is permissive

12:08:27 From Cheryl Langdon-Orr : of any future changes

12:08:44 From Cheryl Langdon-Orr : and allows us to do our job re this Rec

12:08:57 From Cheryl Langdon-Orr : what follows is indeed not OUR issue

12:09:13 From Vanda Scartezini : it is up to them

12:09:41 From Cheryl Langdon-Orr : Exactly Tom, the GNSO may indeed do nothing at all, but it is not us telling them how to, or even what to do, re any rebalancing that follows

12:09:45 From Cheryl Langdon-Orr : YES

12:10:02 From Cheryl Langdon-Orr : or Not at all YUP

12:10:15 From Vanda Scartezini : agree

12:10:35 From Dave Kissoondoyal : +1

12:11:07 From Leahsymekher : +1

12:14:45 From Cheryl Langdon-Orr : Then the process belongs to the Board YE

12:14:52 From Cheryl Langdon-Orr : YES

12:15:05 From Vanda Scartezini : it is clear...

12:17:36 From Nadira AL-ARAJ : now they are members

12:18:02 From Vanda Scartezini : yes they are members indeed

12:18:14 From Leahsymekher : member is better than liaison

12:18:42 From Vanda Scartezini : delegate may be a good suggestion

12:19:29 From Vanda Scartezini : agree a little push for them to react...

12:19:37 From Nadira AL-ARAJ : good to use one term

12:19:41 From Dave Kissoondoyal : member is better

12:20:14 From Cheryl Langdon-Orr : my personal preference is actually delegate throughout

12:20:32 From Cheryl Langdon-Orr : IN these Bylaws

12:20:44 From Vanda Scartezini : dave, member looks more a long term presence. for two years looks more as delegates during some time...

12:21:10 From Nadira AL-ARAJ : yes the gap is two years

12:21:24 From Vanda Scartezini : i believe was 2 years too

12:21:25 From Nadira AL-ARAJ : we discussed that in an email

12:22:04 From Leahsymekher : delegate is good

12:22:18 From Cheryl Langdon-Orr : for our NC documentation such as our Rules or Operating Procedures etc., work we may of course use Member once we originally define the term Delegate as being Nominating Committee Member

12:22:55 From Leahsymekher : :-)!!

12:23:20 From Jean-Baptiste Deroulez : @Zahid: rec. 7 - NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.

12:23:49 From Zahid Jamil (Jamil & Jamil) : got it

12:23:56 From Vanda Scartezini : consecutive two terms?

12:26:35 From Zahid Jamil (Jamil & Jamil) : @vanda - i agree - when you say only consecutive two terms automatically because of the 2 year term you need to sit out 2 years so no need to say 2 year gap necessarily - but no harm is saying so either

12:28:17 From Vanda Scartezini : yes I have similar understanding but do not know if makes it clear for all not so involved...

12:28:19 From Cheryl Langdon-Orr : IN my view \*unless ICANN Legal tells us different\* this can be a Fundamental Rule of Procedure

12:28:28 From Yvette Guigneaux : Rec. 27 link being displayed on screen now - <https://docs.google.com/document/d/1DmHr1bMA6g8TZobe-VDalhJWpHwtvUmMmeS1ZYNbLQI/edit?usp=sharing>

12:29:17 From Larisa Gurnick : Please consider whether the word "external" may be better suited than "outside".

12:30:07 From Cheryl Langdon-Orr : Fair point Larissa unless Zahid see one less ambiguous than the other from a Legalese POV

12:30:28 From Yvette Guigneaux : ICANN Bylaws on screen now - <https://www.icann.org/resources/pages/governance/bylaws-en/#article7>

12:31:51 From Leahsymekher : Great point Zahid...in the aggregate

12:32:02 From Cheryl Langdon-Orr : See I would see our own fundamental Rules of Procedure to reference that as we see NC appointments as a way of ensuring this aspect of the ICANN Bylaws

12:32:25 From Cheryl Langdon-Orr : so our new Rule would play off this as justification for our new approach

12:35:28 From Vanda Scartezini : that is a good approach Cheryl. agree

12:36:16 From Zahid Jamil (Jamil & Jamil) : this is rec 27 right?

12:36:20 From Zahid Jamil (Jamil & Jamil) : we are discussing?

12:36:23 From Zahid Jamil (Jamil & Jamil) : @JB

12:36:38 From Jean-Baptiste Deroulez : yes Zahid

12:37:31 From Vanda Scartezini : `\  
12:38:13 From Nadira AL-ARAJ : some did read the bylaws when needed

12:38:57 From Cheryl Langdon-Orr : As I said working knowledge of, not resorted to because there is a problem

12:40:15 From Leahsymekher : agree with Cheryl not adding too much/more to the bylaws

12:41:47 From Yvette Guigneaux : ICANN Bylaws section 7 -  
<https://www.icann.org/resources/pages/governance/bylaws-en/#article7>

12:41:56 From Yvette Guigneaux : Rec. 27 link -  
<https://docs.google.com/document/d/1DmHr1bMA6g8TZobe-VDalhJWpHwtvUmMmeS1ZYNbLQI/edit?usp=sharing>

12:43:52 From Vanda Scartezini : agree Zahid... I was saying similar considerations

12:46:40 From Dave Kissoondoyal : agree with the rewrite

12:46:44 From Jean-Baptiste Deroulez : @Tom Vanda has her hand raised.

12:46:46 From Nadira AL-ARAJ : +1 Cheryl

12:48:17 From Vanda Scartezini : ok down my hand. I believe unaffiliated candidate would be enough to guarantee what we need

12:48:29 From Cheryl Langdon-Orr : Focus them on the aim of appointing unaffiliated Members where possible but NOT effecting the options to reappointment

12:49:58 From Vanda Scartezini : agree Cheryl not make it MUST will make the work

12:50:09 From Zahid Jamil (Jamil & Jamil) : Notwithstanding \_\_\_\_\_, the NOMCOM shall prioritize the nomination of non-affiliated Board Members with the exception where necessary to prioritize reappointments of Board Members

12:51:12 From Cheryl Langdon-Orr : That could (or something akin to these words, might work in the opening section of 8

12:51:23 From Zahid Jamil (Jamil & Jamil) : Notwithstanding \_\_\_\_\_, the NOMCOM shall ensure the nomination of non-affiliated Board Members with the exception where necessary to prioritize reappointments of Board Members

12:51:36 From Cheryl Langdon-Orr : good enough to put forward into proposed Bylaw changed Thanks @Zahid

12:51:47 From Zahid Jamil (Jamil & Jamil) : let legal clean it up

12:52:22 From Zahid Jamil (Jamil & Jamil) : Thanks Leah

12:52:35 From Cheryl Langdon-Orr : exactly. @Zahid, all our proposed words get Legal to clean up

12:52:53 From Zahid Jamil (Jamil & Jamil) : +1 Vanda

12:52:53 From Cheryl Langdon-Orr : there is always need to expertise in wording bylaws

12:53:19 From Vanda Scartezini : ok for me Zahid. could even be a little reduced but this suggestion will work

12:53:48 From Zahid Jamil (Jamil & Jamil) : I agree with Vanda - hopefully legal can further simplify

12:53:54 From Zahid Jamil (Jamil & Jamil) : but it conveys our purpose

12:54:06 From Vanda Scartezini : yes.. we are not legal...

12:54:20 From Vanda Scartezini : especially in a non native language.

12:54:24 From Zahid Jamil (Jamil & Jamil) : and we aren't 'Illegal' either LOL

12:54:28 From Cheryl Langdon-Orr : I can support @Zahid's language as a starter for such text

12:55:03 From Nadira AL-ARAJ : I think we can remove the re appointment

12:56:15 From Vanda Scartezini : legal staff can give us better sentence but the concept is there in Zahid's sentence

12:56:37 From Dave Kissoondoyal : +1 Vanda

12:56:42 From Zahid Jamil (Jamil & Jamil) : we should ensure that legal help us ensure that the later status doesnt taint

12:57:20 From leahsymekher : blood rush to their heads...:-)

12:57:54 From leahsymekher : agree

12:57:56 From Dave Kissoondoyal : agree with it

12:57:58 From Nadira AL-ARAJ : agree

12:58:55 From Zahid Jamil (Jamil & Jamil) : Notwithstanding \_\_\_\_\_, the NOMCOM shall ensure the nomination of non-affiliated Board Members. For the purposed of this section reapplying NOMOCOM Board appointees shall be deemed to be non-affiliated

12:59:12 From Zahid Jamil (Jamil & Jamil) : sorry couldn't help try to improve - chorionic lawyering

12:59:33 From Dave Kissoondoyal : valid point @Cheryl

12:59:42 From Nadira AL-ARAJ : it make sense

12:59:47 From leahsymekher : very helpful Zahid

12:59:53 From Zahid Jamil (Jamil & Jamil) : thanks

13:00:08 From Nadira AL-ARAJ : I would like to join out of the experience

13:00:11 From Dave Kissoondoyal : ok thanks and bye to all

13:00:17 From Nadira AL-ARAJ : thank you

13:00:18 From Tracy F. Hackshaw : bye all