

# ICANN Expected Standards of Behavior

- Webpage:  
<https://www.icann.org/resources/pages/expected-standards-2016-06-28-en>
- PDF: [here](#)

# ICANN Community Anti-Harassment Policy

- Webpage:  
<https://www.icann.org/news/blog/community-anti-harassment-policy>

# NomComRIWG

Meeting #52



3 September 2020 | 19:00-20:00 UTC

# Agenda

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1. Roll Call + SOI Updates
2. Rec. 10: Input received from GNSO Chairs
3. Bylaw updates
4. Rec. 27: Independent Directors
5. Rec. 24: Standing Committee Process Diagram
6. Next Meeting
7. A.O.B.

# Roll Call + SOI Updates

Agenda Item #1

# Agenda

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2. Rec. 10: Input received from GNSO Chairs
3. Bylaw updates
4. Rec. 27: Independent Directors
5. Rec. 24: Standing Committee Process Diagram
6. Next Meeting
7. A.O.B.

# Rec. 10: Input received from GNSO Chairs

Agenda Item #2

# Rec. 10: Input received from GNSO Chairs

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- Call for action sent on 16 June 2020 to GNSO Chairs ([EMAIL](#)) with input requested by 30 July 2020
- Call with GNSO Chairs on 22 July 2020.
- **Input received, to date, from:**
  - IPC ([EMAIL](#))
  - BC ([EMAIL](#))
  - ISPCP ([EMAIL](#))

# Bylaw Update

## Agenda Item #3



# Bylaw update

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The Bylaws updates that were tackled so far are reported in the following google doc:  
<https://docs.google.com/document/d/1N0mBIJyvTeHb6z3FIIR42R1JURIEfJ9DMIjRRWHNSLc/edit#heading=h.q66weznabufn>

As part of the detailed implementation plan, the below recommendations include a Bylaws update:

- ❖ **Rec. 7: NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.**

**Status:** Per Tom' email to the NomComRIWG/Nadira on July 8, Bylaws update for this recommendation still need to be discussed. *"We haven't actually discussed the actual change to the ICANN bylaws for this recommendation 7. I assume this will be a single sentence replacing Bylaws 8.3(a) <https://www.icann.org/resources/pages/governance/bylaws-en/#article8> [icann.org] . We discuss this at a future meeting. The community would then refer to the NomCom Operating Procedures manual for the detailed term limit rules. This separation of the detailed rules from the Bylaws provides the NomCom the flexibility to adapt the eligibility rules and continuously improve its procedures. as I'm sure additional scenarios will crop up over time."*

# Bylaw update

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- ❖ **Rec. 9: All NomCom members should be fully participating and voting members, except for NomCom leadership.**

**Status:** Bylaws language update of Section 8.2. is reported in google doc.

- ❖ **Rec. 10: Representation on the NomCom should be re-balanced immediately and then be reviewed every five years.**

**Status:** Bylaws language update of Section 8.2. is reported in google doc.

- ❖ **Rec. 24: An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.**

**Status:** No Bylaws update needed, but charter will need to be submitted for public comment. [Charter](#) is put on hold for now, additional edits (if applicable) needed online.

# Bylaw update

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- ❖ **Rec. 27: Provide clarity on desire for and definition of “independent directors”. Upon clarification of desire and definition, determine the number of specific seats for “independent directors”.**

**Status:** Pending questions. Should Bylaws be changed? Since the NomCom has flexibility to draft operating procedures from scratch every year, how can we make sure the updated sections in the NomCom Operating procedures are not being omitted from the next year operating procedures manual?

# Rec. 27: Independent Directors

Agenda Item #4

# Rec. 27: Independent Directors

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Plenary Call #51 rewrite of general language added to the NomCom Operating Procedures: [LINK](#)

*During each NomCom appointment cycle, the NomCom shall recruit and nominate Board Directors to the ICANN Board who have no or very limited prior involvement with ICANN and who would have no or very limited chances of being appointed to the Board through any of the SO/AC-appointed seats. The goal of this stipulation is to appoint directors who bring an outside perspective to ICANN without predisposition towards any of ICANN's community groups.*

*However, given the unpredictability of the candidate pool, the NomCom is allowed to make a ~~single~~ **exceptions of candidates not meeting this requirement or candidates who are re-applying from the Board.** ~~each year of a candidate not meeting this requirement.~~*

# Recommendation 27

**Provide clarity on desire for and definition of “independent directors”. Upon clarification of desire and definition, determine the number of specific seats for “independent directors”.**

#	Task
Note	The NomComRIWG notes that term ‘independent’ in the final report is used in the context of ‘no prior involvement in ICANN processes’. Therefore, to avoid confusion, the question that the NomComRIWG will ask during the implementation of this recommendation will be: ‘should the NomCom be empowered to seat directors that, in addition to being independent, are also ‘ICANN unaffiliates? If so, how many?’
1	Define ‘ICANN unaffiliates’, based on the findings of the Final Report, and whether a different term should be used.
2	NomComRIWG to engage with the ICANN community, ICANN Board, and ICANN org, to obtain feedback on the definition of ‘ICANN unaffiliates’, and the questions of whether being an ‘ICANN unaffiliates’ should be an additional requirement for some of the NomCom-appointed Board seats, and, if so, how many.
3	NomComRIWG to develop a proposal for this recommendation regarding the need (or not) of NomCom-appointed Board directors who are ‘ICANN unaffiliates’.
4	Review the proposal and ensure that it aligns with all relevant laws and IRS’s regulatory standards applicable to the selection of ICANN’s Board directors.
5*	Update NomCom Operating Procedures with definition and requirement

# Recommendation 27

Provide clarity on desire for and definition of “independent directors”. Upon clarification of desire and definition, determine the number of specific seats for “independent directors”.

#	Task
5	<del>Subject to positive feedback from the Board that the definition aligns with all relevant legal requirements, NomComRIWG to propose how to incorporate its proposal into the NomCom’s selection process.</del>
6	<del>Publish its proposal on NomCom-appointed Board directors who are ‘ICANN unaffiliates’ for public comment.</del>
7	<del>Based on feedback from the public comment, NomComRIWG to update its proposal for the definition of, need for, and number of NomCom-appointed Board directors who are ‘ICANN unaffiliates’ and, if deemed necessary, propose a Bylaws change, or changes to the NomCom operating procedures, or determine another way to codify the proposal.</del>
8	<del>If changes to the Bylaws are required, these will be directed by the ICANN Board.</del>
9	<del>If the Bylaws change is successful, the Standing Committee should ensure the NomCom produces appropriate documentation that shows how the new requirement is followed.</del>

# Rec. 24: Standing Committee Process Diagram

Agenda Item #5



# Rec. 24: Standing Committee Process Diagram

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- **Standing Committee Process Diagram** (which will fall into rec. 24, not rec. 13)
  - Identify tasks and their sequencing: [LINK](#)

# Next Meeting

Agenda Item #6

# Next Meeting

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- **10 September 2020 – 13:00 UTC**

# Any Other Business

Agenda Item #7

# Thank you!

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