Dear [ ]:

In response to your letter from 9 December 2020, I am pleased to provide the OEC with additional details and clarification on the ccNSO assessment and actions on the results of the second organizational review of the ccNSO. As the ccNSO has been working on implementation of the recommendations from the Independent reviewer since the last time we informed the OEC, we will refer to the status of the recommendations to date (January 2021).

This response is structured as follows: We will first (section 1) list those recommendations which have already been fully implemented, and include a reference to the implementation, where possible. Secondly (section 2), we will list those recommendations, which are in process of implementation; where feasible, we will provide a reference to the results to date and the date of expected completion. In section 3, we will look at those recommendation which in our view should not be implemented in the manner as proposed, but where the ccNSO concurs with the findings and issue as identified by the Independent Reviewer. In section 4, we will briefly discuss the two recommendations which in our view are directed at ICANN. Finally, in section 5, we will provide an explanation why implementation of one specific recommendation should be deferred to the next ccNSO review, if implemented at all.

1. Recommendations, which have been fully implemented

- **Recommendation 1: Communication material on vision and goal ccNSO.**
  The vision and goal of the ccNSO was updated during a ccNSO Council workshop in June 2020. The result is included in:
  - The material we use for on-boarding in the ccNSO (https://community.icann.org/pages/viewpage.action?pageId=66085237), and other related presentations and documentation, where we explain the purpose and value of the ccNSO to the broader community.
  - The results of the Council workshop are documented in the ccNSO strategy to deliver on the ccNSO activities (https://community.icann.org/display/ccNSOCWS/20+August+2020+18%3A00+UTC?previ ew=/143458575/144377383/Results%20Council%20Workshops%20ICANN66%20and%20 68%20version%202.pdf)
  In our view this recommendation has now been fully implemented and no further action is required.

- **Recommendation 4: Amendment of Bylaw on composition of IFRT**
  In November 2019, section 18.7 of the ICANN Bylaws was amended to change the composition of future IFRTs as was suggested by the independent Reviewer and requested before by the ccNSO. As. As result of this amendment, this Recommendation is fully implemented an no further action is required.

- **Recommendation 6: The ccNSO Meeting Program Committee (MPC) to adopt and adjust meeting format to increase participation.**
  In our view, this recommendation has been fully implemented. Since its creation the MPC has been continuously adopting and adjusting the meeting formats to increase participation. The

latest examples are the ccNSO sessions during ICANN 68 and 69 (see: https://community.icann.org/display/ccnsowkspc/ccNSO+Members+Meeting+%7C+ICANN68 and https://ccnso.icann.org/en/about/cop-selection).

These improvements are based on post-meeting surveys of the ccTLD community to seek their suggestions for improvements and input for future meetings. The MPC has developed the practice to respond to community on the results and discuss them extensively. See various announcement on the ccNSO Website.

On a separate note, we believe that this recommendation has become slightly moot under the impact of the pandemic. The nature of meetings has changed since all meetings have become virtual. The MPC is very aware that in a fully virtual environment sessions organized by the MPC need to be as interactive as possible to interest people to attend.

In our view this recommendation has been fully implemented and no further action is required.

- **Recommendation 9: Streamline Mentor /mentee program.**
  The ccNSO Council has established a mentor/mentee program in December 2018, during the time the review was conducted (see: https://ccnso.icann.org/en/about/cop-selection). The work of this group has been recently reviewed, and the ccNSO Council decided, based on the results of the review to include the activities of this group in the Outreach and Involvement Standing Committee, which is now being established. Until this new Committee is effectively taking over the activities of the Community Onboarding Programme Selection Committee (COP), the COP will remain in place. We note, however, that the activities of COP and mentor/mentee were envisioned for an in-person environment.

  In our view this recommendation has been fully implemented and no further action is required.

- **Recommendation 10: Central space for newcomers material**
  On the ccNSO website a special area has been created where newcomers can find (links to) all relevant material (see Homepage). The material itself can be found at: https://community.icann.org/pages/viewpage.action?pageId=66085237

  In our view recommendation 10 has been been fully implemented and no further action is required.

- **Recommendation 12: Renaming and filenames etc. Guidelines and other documents to ensure retrievability**
  Since the incident noted by the reviewers, the naming of Guidelines and other documents adopted by the Council has been updated and put in practice, and posting is ensured (see, for example, the Guideline webpage on the ccNSO Webpage:

https://ccnso.icann.org/en/about/guidelines.htm) and the Council wikispace:
https://community.icann.org/display/ccNSOCWS/17+December+2020+%7C+18%3A00+UTC

However, we note that transparency and seamless posting and retrieval is seriously limited due to the web-site design, and, more importantly, having to use two platforms (web-site and wiki space) to manage publication and retrieving of documents. To ensure timely publication and retrievability, the ccNSO website will need to be overhauled (see recommendation 11)

In our view this recommendation has been fully implemented and no further action is required, until the a new ccNSO website is ready for use.

- **Recommendation 13: Adherence to practice of publishing Council agenda week ahead of the meeting**
  We note that the in past the agenda may not be published in time or was not retrievable as such. However, since 2018, the draft is circulated to the Council in time and published within hours on the ccNSO webpage (see
  https://ccnso.icann.org/en/news/announcements?year=2021)

  In our view this recommendation has been fully implemented and no further action is required.

2. Recommendations in process to be implemented

- **Recommendation 3: Update Nomination process chair and vice-chair by WG/committee, include standard procedure in Guideline and apply to Future charters**
  The ccNSO Guideline Review Committee has prepared draft procedures, which will detail the procedures for nomination and selection of the (Vice-) Chair of Working groups or Committees. This draft will be first reviewed by the ccNSO Council and afterwards reviewed by the ccNSO members. After this review the procedures will be up for adoption by the ccNSO Council is currently under (expected at or around the 17 February 2021 Council meeting) the procedures will be annexed to the relevant Guidelines (Guideline ccNSO Working Groups and Guideline: ccNSO Collaboration Groups, see:
  https://ccnso.icann.org/en/about/guidelines.htm).

  Upon adoption of the procedures and publication of the amended relevant Guidelines, no further action is required.

- **Recommendation 8: The ccNSO should request translation of introduction to ccNSO on ICANN Learn portal**
  The ccNSOP Council will send a letter to ICANN Org by its February 2021 meeting to seek translation of the ICANN learn course: introduction to the ccNSO on the ICANN Learn portal. We note, however, that the translation of the document itself is not within the remit of the ccNSO.

  Implementation of the recommendation will start by 1 February and is expected to be completed by 17 February 2021. However, translation itself and uploading to the ICANN learn

portal is first and foremost within the remit of ICANN's responsibilities. The ccNSO is not in a position to provide any estimate of completion date, nor of budgetary and resource implications of translating the specific ICANN Learn course.

3. Recommendations with suggestion for alternative approach

- **Recommendation 2A: Running roster of potential volunteers.**

  It is our understanding that this recommendation seeks to expand the group of volunteers who want to participate in the work of the ccNSO. We concur with the Independent Reviewer on the need to engage more and new people. We also appreciate that a running roster may be helpful. However, we also foresee principle and practical issues in maintaining such a roster. Earlier experiences with a comparable attempt, has shown that such a roster is very quickly out of date, difficult to maintain and incomplete anyway (see: https://ccnso.icann.org/en/about/expertise.htm)

  Since January 2020, the ccNSO has developed a targeted approach to seek members for working groups, committees etc. This targeted approach consists of announcement on the ccNSO website, email invitations for and conducting a focused and specific virtual outreach event (webinar) focused on the working group for which volunteers are sought, expected expertise and expected time commitment. The webinars are recorded and together with the slides made publicly available (see: https://community.icann.org/display/ccnsowkspc/ccNSO+Webinars). Following the webinar, the call for volunteers will include a reference to the webinar and presentation slides, if any (see for example: https://ccnso.icann.org/en/announcements/announcement-20jan20-en.htm).

  It is our view and experience that as a result of this approach, the threshold for participation is lowered and we have noticed additional volunteers and people who have not participated before. We have also received confirmation that by providing the information before the call for volunteers was send out, potential participant could make a more informed decision whether or not to participate in the working group or committee.

  As stated, since January 2020, it has become standard practice that prior to calls for volunteers the ccNSO would invite the ccTLD community to be informed about the upcoming active participation opportunity in the new or existing working group or committee. Although it is an additional burden on current volunteers, this alternative approach is less burdensome on the community and staff than the suggested roster of potential volunteers. Furthermore, our approach achieves better results based on experience to date.

  We believe that in the context of implementation of this Recommendation from the 2nd ccNSO Organizational Review no further action is required.

- **Recommendation 2 B: 1/3 quota newcomers in WG and committees**

It is our understanding that this recommendation also seeks to expand the group of new volunteers who want to participate in the work of the ccNSO. We concur with the Independent Reviewer with the need to engage more new people. However, we strongly disagree with the recommended approach, and we expect that the Board would respect counter-arguments we presented, i.e.:

- o All current ccNSO working groups and committees are open to any ccTLD. Number of members is not defined, i.e. groups can have unlimited number of members. In this context we do not understand what is meant by a 1/3 quota for newcomers. Does it imply that the number of newcomers sets the total number of working group members? For example, if only 3 newcomers apply, should only 6 more experienced members be allowed to participate? Or, if 10 experienced members apply, the group cannot start its work unless we find 5 newcomers? Why would the ccNSO even consider introduction of such an artificial limit to the size or operation of our working groups?
- o Secondly, the vast majority of volunteers in ccNSO environment are employed by ccTLD Managers, and it is part of their job to follow what is going on in ICANN in general and the ccNSO specifically and, if considered of value to the ccTLD Manager, they participate actively. Setting a quota for newcomers, effectively expects that ccTLD Managers would revisit their internal resourcing and "volunteer" people who from their internal responsibilities do not participate in ICANN or the ccNSO. Is there any reason why ccTLD managers would change their approach to participation at ICANN because of such a recommendation?
- o Finally, the recommendation does not take into account that majority of ccTLD Managers are relatively small. If they participate actively at all, these ccTLDs can only afford that one staff member spends a limited amount of time on ICANN and ccNSO related matters (anecdotal evidence suggests 4-6 hours per week on average, including participation at ICANN events, and both on ICANN and ccNSO matters). Introducing a quota would put our diversity at risk by disallowing smaller ccTLD Managers to participate.

As said, we concur with the need to attract new participants, but we believe lowering the threshold and emphasizing the value of participation works better than introduction of artificial quota. The approach alluded to before with respect to Recommendation 2 A, has shown to work as well to attract newcomers.

In our view the issue as identified is addressed. Monitoring and adjustment of the involvement activities are at the core of the newly to be created ccNSO Outreach & Involvement Standing Committee (see expected to be completed by April 2021). However, in the context of implementation of this Recommendation from the 2nd Organizational Review no further action is required.

- **Recommendation 5: Limitation of terms for Councillors.**
  The ccNSO concurs with the Independent Reviewers that from a good governance perspective ccNSO Councillors need to be replaced and limit the number of terms they sit on the Council.

Following the publication of the Final Report of the 2nd Organizational Review, the ccNSO Council conducted an analysis of the terms Councillors served on the Council (which was not

included in the Report, but would have provided undisputable data). This analysis confirmed the need to revisit the terms of Councilors and need for limiting the terms of Councillors.

However, as noted in the FAIPP, we do have reservations about the proposed method – introducing term limits in the Bylaws – to address the issue.
Our main concerns are:
- o The need to differentiate between regions (as suggested by the Independent Reviewer)
- o ccTLD Managers do need to allow their employees to spend time to do Council work. The pool of qualified people willing to take on this role is limited and we believe introducing a term limit may avertedly affect the function of the ccNSO Council (forced replacement of a person, ccNSO members trust).

To address the issue identified, the ccNSO Council has not waited on the suggested change of the Article 10, but took the following steps: in conjunction, but prior to the call for nominations for Councillors, the ccNSO conducted two specific and targeted webinars to inform the ccNSO membership about the role and expectation of Council membership, including a Q & A with current Councillors (see: https://community.icann.org/display/ccnsowkspc/ccNSO+Webinars). As a result, each of the regions selected new Councillors, who'll take their seat after the ICANN70 related meeting. In one of the regions, elections were necessary to appoint the Councillor (see 2021 Council Elections Report: https://ccnso.icann.org/sites/default/files/field-attached/election-report-02dec20-en.pdf)

In addition, and to ensure future replacement, the issue of limiting Council terms and how to warrant this, was discussed with the ccNSO Membership at the ICANN69 session on Governance of the ccNSO. Following this discussion, the ccNSO Guidelines Review Committee is looking into alternative ways to express the expectation of limited terms (for example, inclusion in Guidelines or Internal Rules of expected term limits). During ICANN70 there will be a follow-up session, which will include a discussion of the internal rules of the ccNSO.

It is our view that ultimately the membership itself is responsible for good governance of the ccNSO and the mechanisms to limit terms should reinforce that responsibility of the membership. The expectation is that by ICANN72 the necessary changes of the Guidelines and Rules will have been adopted and publsihed. In addition, the next call for nominations for Councillors, which is expected in August/September 2021 time frame, will again be preceded by similar alerts and webinars as the 2020 call for nominations.

4. Recommendations directed at ICANN Org for the benefit of the ccNSO

- **Recommendation 7: Real Time Scribing**
Real Time Scribing is a service that is provided by ICANN to communities during ICANN meetings, whether they are in person or virtual. The ccNSO supports the recommendation of real time transcription of its sessions, especially in light of the cultural and linguistic diversity of the ccTLD community. To date real time scribing has at times been available for meetings between the Board and the ccNSO community. However, although the ccNSO through its

Council and staff have at times requested ICANN to provide real time scribing it is not provided. In our opinion providing this service is fully and completely within ICANN's remit. Hence, we believe that this recommendation is not directed at the ccNSO, but at ICANN.

As the ccNSO has no role in providing this service, we are not in a position to provide any budgetary or resource implications for providing real time scribing as suggested by the Independent Reviewer.

- **Rec 11: Update and improve ccNSO Website**
  We have been informed that updating the ccNSO website has become part of ICANN's ITI initiative as one of its (sub-) projects. The ITI initiative is fully under the auspices of ICANN. To date (January 2021) the ccNSO has not been informed by ICANN about anticipated start date of the project, anticipated scope and impact, nor what the ccNSO (Councillors and/or representatives from the ccTLD community) is expected to contribute as members of a user group or in any other capacity.

  As the ccNSO has no role to date, has not been informed about this specific project, nor has been asked to take on any role or responsibility play we are not able nor in a position to provide any further detail or budgetary and resource implications.

5. Recommendation awaiting next/future steps

- **Recommendation 14: Subscribe future reviewer to the relevant email list.**
  According to the recommendation future reviewers should be subscribed to relevant email list, to allow those future reviewers to access communications with and among the membership. As stated in the FAIPP, the ccNSO in principle accepted the recommendation; however, implementation will depend upon 1.) the use that will be made of access to the list and 2.) Appointment of the future independent reviewer, if any. With respect to the first point, we note that, for example, the purpose of the ccTLD world email list may not allow such a use (https://ccnso.icann.org/sites/default/files/field-attached/cctld-world-list-procedural-doc-14feb19-en.pdf).

  With respect to the second point, we note this recommendation pertains to the future, 3rd, organizational review of the ccNSO. In our view this recommendation pre-empts on how the future reviewer intends to conduct its business.

Cross reference tables: Recommendations and sections response

Recommendation nr	Section in Response
Recommendation 1	Section 1
Recommendation 2 A	Section 3
Recommendation 2B	Section 3
Recommendation 3	Section 2
Recommendation 4	Section 1
Recommendation 5	Section 3
Recommendation 6	Section 1
Recommendation 7	Section 4
Recommendation 8	Section 2
Recommendation 9	Section 1
Recommendation 10	Section 1
Recommendation 11	Section 4
Recommendation 12	Section 1
Recommendation 13	Section 1
Recommendation 14	Section 5

Section nr Response	Recommendations included in section
Section 1	Recommendations 1, 4, 6, 9, 10, 12 and 13
Section 2	Recommendations 3 and 8
Section 3	Recommendations 2A, 2B and 5
Section 4	Recommendations 7 and 11
Section 5	Recommendation 14