

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 #80



10 June 2021 | 19:00-20:00 UTC

Roll Call + SOI Updates

Agenda Item #1

Agenda

- 1. Roll Call + SOI Updates**
- 2. Observations on Working Group Participation**
- 3. Recommendation 24: RIWG discuss and make adjustments based upon ICANN org legal input on Standing Committee Charter**
- 4. A.O.B. & Next Meetings**

Observations on Working Group Participation

Agenda item #2

NomComRIWG

Group formed in early 2019 - 30+ volunteers see [wiki page](#)

Regular meeting participants - 8 - 12 individuals up until recently

Meeting #1 (April 2019) - 24 participants

Meeting #36 (April 2020) - 9 participants

Meeting #74 (April 2021) - 6 participants

Meeting #79 (May 2021) - 4 participants

Recent resignations for variety of reasons - 4 people

Recommendation 24: ICANN org legal input on Standing Committee Charter

[Agenda Item #3](#)

Recommendation #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.

Summary Points | Legal Feedback on Charter

- Legal noted that the RIWG's path for Recommendation 24 has evolved for three purposes:
 - providing continuity across NomCom cycles
 - building institutional memory of the NomCom
 - helping coordinate processes and communications with other bodies

- Legal feedback falls into three main categories:
 - Review Implementation scope and reach--relationship with the NomCom
 - Standing Committee Relationship with Other Entities
 - Governance

Summary Points | Legal Feedback on Charter

- **SC Scope and Reach – Relationship with NomCom**
 - Too broad of scope raises concerns about impact over each NomCom. Potential to read this as having a really broad scope, and potential that it shows impact on NomCom itself and how it operates. Could be interpreted that SC has input into how each NomCom runs its process across ICANN community
 - This impacts neutrality of SC role
 - Some concern the SC has an oversight role, there may be too much impact from the SC on each NomCom and how it performs its selection cycle
 - One question to consider: does the SC need to have communications with other entities? Challenge the RIWG to consider why, perhaps this is to inform initial set of processes to standardize, but year over year, this may not be where the RIWG wants the SC to be, if you consider pure division of roles between SC and the NomCom

Summary Points | Legal Feedback on Charter

- **SC Relationship with Other Entities**
 - Legal raised concern re: 'oversight' on previous draft. RIWG changed 'oversight' to 'ensure' in many places, but retained 'oversight' in other places.
 - Need to clarify the SC has no decisional role over other entities
 - Focus more on how the NomCom interacts with others, as opposed to how others interact with NomCom; clarify SC is not too involved in each NomCom but is making sure NomCom is following its processes (as opposed to GNSO or ALAC following its processes)
 - Consider limitations/design in ICANN system (ex: budget participation, considering existing budgeting process and community input). SC could have a unique role in representing NomCom writ large in each year's budgeting process, which is distinct from having oversight over ICANN org development of budgeting process
 - Consider removing specificity in many areas and returning to June 2020 model?

Summary Points | Legal Feedback on Charter

- **Governance**

- Concern with self-reinforcing membership as presented
 - NomCom is a key governance tool; consider broader impacts of SC role in governance
 - SC may be a key area for Board's fiduciary role to ICANN as whole. Board engagement could make sure that governance of SC that's advising the NomCom is maintained with high integrity. When defining membership and how it will be perpetuated, we'd ask RIWG to consider whether there could be a broader fiduciary role for the Board
- Ensure that conflicts of interest management is well defined, particularly with different groups interacting with the SC to avoid SC being perceived as a way to influence path of NomCom
- Charter Amendment – clarify who has approval rights over Charter amendment. Since SC charter will be referenced in Bylaws, consider Board role in approval of charter amendments

A.O.B. & Next Meetings

Agenda Item #4

A.O.B. & Next Meetings

- 24 June
- 1 July
- 15 July
- 29 July
- 12 August
- 26 August

@ 19:00 UTC

Thank you!



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