
YVETTE GUIGNEAUX: Greetings, everyone. Welcome to a very special meeting of the NomCom Review Implementation Working Group on September 9, 2021.

Today's call will be in two parts today. The first portion will be the NomCom Review Implementation Working Group having a joint discussion with the GNSO Stakeholder Group and Constituency chairs. And the second portion will be just the regular NomCom Review Implementation Working Group plenary call, just so everyone knows.

For the attendance today, since we have a large group, we're going to go ahead and let the Zoom Room take the attendance today. It will be noted on the wiki so everyone will get credit for their call.

For the Review Implementation Working Group, really quickly, is there any changes or updates to anyone's SOI? No? Okay. I think we're good. So at this point, I will get the agenda on the screen. And, Tom, I will turn it over to you.

TOM BARRETT: Thanks, Yvette. Again, I'm Tom Barrett, chair of the NomCom Review, and Cheryl Langdon-Orr is the vice chair. We welcome the members of the GNSO here today to talk about one of the 27 recommendations of the NomCom Review that refers to rebalancing of the NomCom. So we'll go through that. I'll quickly go through that. I think it's a review for a lot of you but then we'll hopefully spend a fair amount of time discussing

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some ideas about how this interacts with what else is happening elsewhere at ICANN. So if we could go to the next slide.

So this is a familiar slide. If you're familiar with the NomCom, it basically portrays where the delegates to the NomCom come from. And again, this was put together many, many years ago and reflects what was perceived as a fair representation from the various constituencies within the ICANN community for the NomCom. So as you can see, you have a representative from the ASO, one from the ccNSO, seven from the GNSO, one from the IAB, five from At-Large, one from the GAC, one from RSSAC, one from SSAC, and then you have the chair elect and associate chair who tend to be past members of the NomCom elected by or appointed by the Board. That's the current representation.

Recommendation 10 says that as part of the independent evaluation that the representation of the NomCom should be rebalanced immediately and then reviewed every five years. And so this group has gone through several phases. We first went through a feasibility phase to see if such a recommendation was in fact feasible to implement, and then we did an implementation plan. And then finally, we're in the implementation now. Along the way, certainly there were some tweaks made to the original recommendation to make sure it was feasible and implementable. But each of those tweaks has been approved by the full Board, and so now we are at our final phase of implementation. Next slide.

Obviously, this summarizes the outreach, I think, just during the implementation phase itself. Obviously, there was outreach done in the prior planning phases and feasibility phases as well. But as you can see,

there's a focus on the GNSO SO/ACs as the recommendation itself has focused on the representation on the NomCom from the GNSO. Next slide.

So in short, the recommendation for implementing this recommendation is actually a fairly straightforward one of proposing a change to the ICANN Bylaws so that the GSO still has seven voting delegates to the NomCom but the Bylaws is not specific in terms of how the GNSO decides who those seven delegates would be. And that's really the entirety of how we're planning to implement this particular recommendation. As you can see, it does not actually make any changes to the current allocation of delegates from the GNSO. That is something that we propose is handled later, it simply removes from the ICANN Bylaws a hard-coded designation of how the GSO decides who the seven delegates should be. Next slide.

In terms of our rationale, we had, in addition to this recommendation, several others that were somewhat constraining on the different scenarios we looked at. So for example, Recommendation 8 recommended that we maintain the current size of the NomCom. So we decided that we would adhere to that recommendation. We also had discussions with the GAC, who have allocation of the NomCom but more recently have not actually filled that seat. The result of those discussions was that they want to keep that seat open. They have not yet determined when and if they might start sending a delegate to the NomCom but they want to reserve that option in the future.

Finally, obviously, in terms of looking for other models about how folks—the only other group that says more than one delegate to the

GNSO is the ALAC. And we note that the ICANN Bylaws simply say the ALAC shall send five delegates and doesn't mandate how the ALAC does that. As you know, they do it geographically. But we thought that was a nice model that could be used for the GNSO, again, not to mandate how the GNSO decides who to send to as delegates but basically to lead that up to that.

So the idea here is that the rebalancing recommendation isn't in fact doing any rebalancing but is facilitating a future rebalancing exercise. We had a call last week with the members of the Review Working Group who belong to GNSO SO/ACs and we had a great discussion about whether or not there were any dependencies on future reviews that ICANN is planning, both at the holistic level of the overall ICANN community or within the GSO level. The question is should those reviews take place before a rebalancing exercise by the NomCom, or are they unrelated and can be pursued independently?

So that's really a quick summary. If we go back up to slide five, which I think is a good conversation point, I'll pause to see if anyone has any questions. I'll catch up with chat as well if there's any comments in there.

I don't see any hands. But let me ask a question of the folks here. I know this has come up several times. There's been proposals to do a holistic review of the ICANN community. And so, as we look at the slide five, I guess the question would be if such a holistic review were to take place, it's not clear if and when it would happen, do we think that would surface additional constituencies that perhaps belong to the NomCom

or do we think that would result in a consolidation of constituencies that currently send folks to the NomCom? Cheryl?

CHERYL LANGDON-ORR:

Thanks, Tom. Hopefully my Internet is stable enough for you to hear me. I know a little bit about the ATRT3 recommendations, as some of you might realize. And so I just wanted to make really clear, the holistic review is going to be piloted and it will go on the policies in fact to establish the specificity of and the nature of what we can achieve, be that a full or a staged implementation plan, that sort of thing. That's the commitment the Board has made. So there is going to be the regular whole of ICANN review baked in as we go forward.

Those leaders, whatever they are, whenever they're pulled, won't have instantaneous effects. Any recommendations that are made in terms of perhaps theoretical structural change or the overall or to the component path of ICANN will take several years in fact to get processed, get happening, get managed, and get done. So it would be several Nominating Committees and indeed another sample at least of our own review processes before we would need to worry about the colors on the seats on this diagram. But what the proposed Bylaw change does is allow the flexibility because of the absence of any hard coding in the proposed Bylaw change for all of the entities that currently send delegates to the Nominating Committee. So that whatever changes and whatever stage of change may or may not go on in they are part of ICANN can be reflected by internal processes.

So ALAC, for example, can do pretty much what it likes with its five seats depending on how ALAC is structured. If ALAC disappears, then it will

take a couple of years before that happens and that can be reflected in the review process. So there is no downside and there is no impediment. There is only benefit in terms of a successful holistic review process and getting the outcomes managed effectively and efficiently and what has been proposed in the Recommendation 10 Bylaws. Hopefully, I'm really clear on all of that.

TOM BARRETT: Thanks, Cheryl. I have a few hands. Wolf?

WOLF-ULRICH KNOBEN: Thank you. Wolf-Ulrich Knoblen speaking, chair of the ISPCP. Can you hear me?

TOM BARRETT: Yes, we can hear you.

WOLF-ULRICH KNOBEN: Okay. Thank you very much. And thank you, Tom and Cheryl, for making clear how the situation is from both sides. Tom made it very clear how the process was here and the discussion in the last week. Cheryl, also it's very clear from your side and understandable what you mean the suggestion in relation to a potential holistic review. That is what we discussed.

My question here is really—and that's what I see from all these. On the other hand, you suggest this recommendation. This is suggestion you say, "Okay, the GNSO shall work on itself in order to get out and come to

an agreement of that.” So, we discussed that internally in our constituency as well and in the CSG as well. So, we are of the opinion—and others from the CSG can chime in also—that the process, because of the internal differences in the various stakeholder groups with regards to the representation on the NomCom and it is still remaining, so we have the opinion that we won’t come to a new decision about a new kind of NomCom structure from the GNSO side, rather than keeping the status quo. I’m of the opinion as well, when you say, Cheryl, that a process with regards to a policy, you will take years and years, I’m not sure. I’m convinced that within the GNSO, you also will take a lot of time all in order to constitute a commission working on elaborating that in the end, so the outcome is for my point is a kind of status quo. So what I said last, last week as well for my opinion, the recommendation doesn’t help, really, in order to come to a new agreement here. Thank you.

TOM BARRETT:

Thank you, Wolf-Ulrich. Before I get to Sam, let me just give you my reaction to that. You could well be right that if we hand off the opportunity to the GNSO and say, “Why don’t you guys do a rebalancing exercise?” that they are unable to complete one or it maintains the status quo, and in fact, if it turns out, for example, as I’ve heard that perhaps they don’t have a way to even conduct the exercise that the ICANN Board might well come back and say, “Well, let’s figure out a different way to do this rebalancing exercise.”

So I certainly would hope that the GNSO could figure out how to do it and it may or may not result in the status quo. So the chance is greater

than zero that it would be something different as well as the status quo. But I think the ICANN Bylaw certainly facilitates a successful exercise. Without the ICANN Bylaws, that exercise probably would not take place. So I guess that's my two cents. You may be right. It may not be an exercise that would be successful but I don't think it would be because of these ICANN Bylaw changes. Sam?

SAM DEMETRIOU:

Thanks, Tom. This is Sam Demetriou with the Registry Stakeholder Group. I'd originally put my hand up to make some of the same points that Wolf-Ulrich raised regarding a future holistic review and the potential that it may not result in the restructuring of the GNSO. We don't know what the outcome of such review is going to be. But I also did want to flag just one very logistical concern with the Implementation Working Group suggestion to remove the specificity in the Bylaws, right? I very much understand the point you and Cheryl are making that this would leave open the flexibility for the GNSO to nominate or name the representatives to the NomCom that it wishes to based on its future structuring.

The problem with that right now, as I see it at least, is that, as I understand it, the individual stakeholder groups and constituencies hold elections for these positions. So like my stakeholder group elects its NomCom rep every year as part of our election cycle. And so, in the event that this goes to the GNSO, and the GNSO is now tasked with identifying seven representatives, that election cycle is going to need to completely change. There needs to be a brand new process that the GNSO Council presumably will develop for that.

I wanted to just flag that as a concern as a potential downside. Because, Cheryl, I feel like was saying there's not a lot of downside here and I do just want to flag that. Just logistically, there is potentially a big one here and that we don't now know how the GNSO would go about this process to select seven when it's not left to the individual stakeholder groups and constituencies to do our own elections and name those representatives. So I just wanted to throw that out there for consideration.

TOM BARRETT:

Thanks, Sam. I appreciate that. We haven't spent time on, obviously, the other 26 recommendations but there are several that require changes to how the current appointing bodies send delegates to the NomCom. So, for example, we're switching to two-year terms instead of one-year terms. We're adding term limits. We're adding voting right. Because of several other recommendations, I think you'll find that just about the charter of every SO/AC is going to have to change to reflect other ICANN Bylaw changes that we're making. But you rightly point out that there are unknowns here in terms of how the GNSO would in fact rebalance itself. The Board could always just create another Standing Committee to do this if they felt like the GNSO couldn't figure out a way to do it.

Let me just catch up with chat. Anyone else have thoughts on these recommendations? We haven't talked at all about the GNSO review. It also has been proposed. I guess my basic question earlier was, is there any reason to think that any other external review of the NomCom review would suggest a different composition of the NomCom? Should

we wait for that other review to take place before we proceed with this recommendation? Anyone have thoughts on that?

CHERYL LANGDON-ORR:

Tom, I'll just jump in briefly and just say that, of course, it's not just the organizational reviews that can have impact on things such as the Nominating Committee structure. But it's also others from time to time reviews such as when we went through the Geographic Regions review, which was an ICANN-wide review. Now, as it turns out, the Geographic Regions review did not make changes to the five basic regions that ICANN runs under, but it could have. And if it did, they would be similar pain points and indeed probable effects on the ACs and the SOs. But certainly, that would trickle into the Nominating Committee structure as well. And with hard coding—oh, let me try that again in English. Hard coding in the Bylaws implementing that is always a lot lengthier than if we have uniformity and not hard-coded Bylaws allocating however many seats along to each AC and SO as standing parties to the NomCom. Just so we know, this is not just a couple of interactions here. There are other activities that happen from time to time that can also bring in change.

TOM BARRETT:

Thanks, Cheryl. I'm not seeing any other hands. The other theme I think I've heard in the past is that people want to make sure that they have a voice on the NomCom, that they don't lose their voice, or if their voice is missing then they get to add it. Aside from the fact that everyone who goes to the NomCom is supposed to act in their personal capacity,

they're not actually representing the SO/AC that they came from. That's very different, say, from a PDP or working group.

The real question is, is there anyone who is missing a voice of the NomCom? Hence, why we should do some rebalancing? Or is there someone who might lose their voice and we want to make sure that that doesn't happen. So certainly, the impetus behind this in terms of the Independent Evaluator was that there was a missing voice that the GNSO had grown over time as both NCUC and NPOC.

I know Raoul is chatting, adding comments here. He said his constituency is part of the GNSO but not currently represented on the NomCom. And again, we don't have the luxury of adding an extra seat for the GNSO to give them eight delegates so we're fixed at seven. So the ideal solution here would be to have the GNSO determine how to allocate their delegates to make sure everyone within the GNSO was represented. I have seen some comments. Larisa, do you want to raise your hand, make your point?

LARISA GURNICK:

Yes, Tom. Hi. I don't want to interrupt the discussion on the topic that you have now but perhaps before you wrap up, I just wanted to clarify what the process would be for any items coming out of the implementation work that require Bylaws amendments?

TOM BARRETT:

Once you go ahead, I think that would be helpful.

LARISA GURNICK:

Okay, very good. So, as Tom alluded, in addition to the rebalancing recommendation, there are several others that would require changes to the Bylaws, the section that pertains to the NomCom. And there have been some good discussions and interactions between the Review Implementation Working Group and the Board Committee that's responsible for oversight, which is the Organizational Effectiveness Committee, and I just wanted to recognize that Patricio is a Board member on that committee and he's observing the call today. So thank you for joining us, Patricio.

So the Board had discussed that the most effective way forward in terms of clarity for community as to what's happening and how all the different proposals and Bylaws amendments would fit together that all the required Bylaw changes would be bundled and held until such time that all of them were known and clear, then they would be put out for public comment and for community consideration and all of that before they would actually become Bylaws as part of the standard process. So a lot of the work that Tom is referencing on term limits and things like that, the Board approved or agreed with the recommendations of the Independent Examiner in principle, but the actual change to the Bylaws is still some time off and would require certain prescribed processes. Thanks.

TOM BARRETT:

Thanks, Lisa. I am just going to try to catch up with the chat. Raoul obviously makes the point that CSG has only three constituencies but has four seats. So he feels that is not fair representation of the CSG.

Remmy, he also makes a point about restructuring the seats. Let me just scroll here.

Raphael says, "We can actually agree that none of us, either CSG or NCSG, believe the status quo is the best option. The question, I think, we are facing now is a question of which forum is the best: this working group process or the GNSO? Maybe neither are good, but I think the working group is definitely worse."

Cheryl says, "We recognize a rebalancing of the NomCom may also be an outcome of a future holistic review."

As Raoul points out, "That's kicking the immediate rebalancing can down the road."

Let me know if anyone feels like they want to speak up to their text.

Raoul says, "We can do that after the GNSO representation is rebalanced. That is much more imbalanced than the rest of the NomCom." So again, the emphasis of the GNSO seems to be the one area of the NomCom that perhaps doesn't represent the ICANN community.

Sam makes the point, "Future reviews like that of the GNSO that lead to restructuring could also cover NomCom representation. And then any necessary Bylaw changes could come from the implementation of those," which I think is absolutely correct, Sam. Every review seems to

find another reason perhaps to make recommendations for ICANN Bylaw changes.

Catching up. A lot of comments in here. Rafael says that “Sam, yes, in theory, that is indeed possible but at least the language on the table now appears to me to be the one which is most likely to survive any upheaval within the GNSO, except maybe its complete disappearance.”
Patricio?

PATRICIO POBLETE:

Thanks, Tom, and thanks for inviting me as an observer. In one of your slides at the bottom, you mentioned that there were two possible scenarios for rebalancing, one of the entire NomCom and the other one limited to just the GNSO appointees. I think you also said that both were still considered or possible. Okay. What does that mean? I thought that you have chosen scenario number two. Could you speak to that and hopefully clarify it for me?

TOM BARRETT:

Yeah. Thank you for that question, Patricio. Yeah, absolutely. We took a holistic approach to when we first started looking at this recommendation back in the feasibility phase. And back then, we did consider all the different scenarios and included more than just the two of what I call a macro/micro approach. And so that’s what that first bullet refers to is we looked at, “Well, gee, maybe we should come up with a whole different way of populating the NomCom instead of elections by the various SO/ACs. And it could well be possible that some future review decides that’s appropriate. What we determined as we

went through the feasibility and implementation planning was if you look at this slide five on the screen, most SO/ACs have just one delegate to the NomCom. The only exceptions are the GNSO and At-Large. And the other realization that we had was that the one part of the ICANN community that seems to be changing and evolving the most is in fact the GNSO. So the rest are fairly static in terms of what groups constitute, for example, a ccNSO or ASO or At-Large. But the GNSO was much more dynamic. As we've seen, they've added constituencies. In terms of the NPOC, that was not originally represented on this chart. And they're in fact the only SO/AC that has built into their charter the ability to further evolve. And so they have considered and anticipated that their composition will continue to evolve over time. So that struck us as the best area to focus this rebalancing exercise. It was consistent with what the Independent Evaluator had noted as well that the GNSO in 2018 did not have a good representation to the NomCom based on its composition in 2018. So that's why the implementation of this focused on solely on the GNSO to any other approach to this.

Any other comments? Does anyone think we haven't presented their viewpoint or discussed their viewpoint? All right. I think we can probably close this topic then. I appreciate you all attending today. Again, it certainly helps us to understand where there are objections to what we're trying to do and how to help the Board OEC in terms of how they might respond to community on this as well. So I think we'll close this part of the meeting. The rest of you, you're welcome to stay. But we're not going to be talking about the rebalancing exercise anymore. So we're just going to have a regular meeting from here on out. It's

perfectly understandable if you want to drop off. Thank you for attending today.

CHERYL LANGDON-ORR: You're more than welcome to stay because there are important things on the table for our continuing work in here.

TOM BARRETT: Yeah. All right. Thanks, everyone, for attending. We'll resume the rest of our meeting.

YVETTE GUIGNEAUX: Okay. I will go ahead and get those slides up here. Here's the agenda for the Review Implementation Working Group.

TOM BARRETT: Thanks, Yvette. So the rest of the agenda, we had a meeting with Göran. Was it a week ago? Maybe two weeks ago. So we want to go over the recommendations that were discussed with Göran and then talk about Recommendations 11 and 12 and then 23. So who wants to lead a discussion on the CEO meeting? Would that be you, Kristy or Larisa?

KRISTY BUCKLEY: Well, Tom, the rest of the working group wasn't privy to that conversation. So I don't know if there's anything that you want to share

by way of characterizing the conversation and bringing everyone up to speed on that.

TOM BARRETT:

Sure. Yeah, I can certainly do that. So we had three main items to discuss. We talked about reporting relationship of NomCom staff. We talked about the budget process. We talked about transparency of ICANN Org for the review. So let's talk about the reporting relationship. Just remind everyone there's a recommendation that NomCom staff report to the CEO instead of ICANN Legal. And so we had a discussion about that. And Göran said, "Well I am a CEO. Everyone already reports to me." So obviously he needs to delegate certain functions to his management team. And so he felt like this recommendation was already implemented because NomCom staff already report to him via his management team. As you know, ICANN Legal reports to Göran.

So it's probably not exactly what people were thinking for this recommendation, but it I think it addresses a somewhat difficult or challenging recommendation where we're trying to—or the Independent Evaluator was trying to dictate certain changes to ICANN Organization that perhaps were not appropriate. And so I think both Cheryl and I believe that in terms of that particular recommendation, we're fine with his stance that NomCom staff already reports to the CEO. I know Cheryl's chatting. I got to bring up the chat here.

CHERYL LANGDON-ORR:

I can just say, if you like, Tom, I'm just going to support what you said that because of utilizing that delegated authority aspect, we saw that

this will still allow us to see this as sort of come suitably implemented. I know it's a bit of a wriggle room but it means we can move on without having this as a choke point.

TOM BARRETT: Right. Anyone have questions about that?

VANDA SCARTEZINI: Yeah. What I believe is it's okay because ICANN NomCom has a lot of legal issues to report on and to discuss with the legal staff. But regarding to budget, for instance, there is no way—I remember being in the NomCom as a chair that in that time, to reach and discuss with the CEO took some time, and we don't have that time to discuss for budgets and changes. A lot of changes in the time. And it was cross the bridge. The bridge was not so easy because the way they reacted to the—at least the financial guys should be more facilitate. I believe that once we decide that is done, we should make a point that there is a need to always facilitate for budget issues, not respond directed to Legal because Legal has no point on that. So maybe it should make a left in this point to make sure that these will be facilitated if it comes out some kind of problem. Thank you.

TOM BARRETT: Thanks, Vanda. Just to summarize our discussion with Göran, one of the things we have to remember is that the Independent Evaluator came out with 27 recommendations as if each one stood alone. As it turns out, there's a Recommendation 24 for the Standing Committee that basically solves the budget challenge that NomCom faces, which is

obviously the budget process always impacts a future NomCom cycle. And so the management or leadership team for that is unknown. So how could they possibly be involved with that process? So I think by having a Standing Committee, they can ensure, for example, that they get input from the current NomCom but also are thinking ahead about what future NomComs might need in terms of funding and address those proactively during the budget process rather than some sort of ad hoc funding request that happens today. So that was my second summary point from the meeting. We discussed how the budget recommendation was really addressed by the Standing Committee.

And then the third point, I think it turned out to be moot. I think the concerns addressed earlier about difficulties in getting information out of ICANN Org in order to do the review, I don't think those concerns exist anymore. So does that cover it, Kristy, or did I miss anything?

KRISTY BUCKLEY:

I think that's it. Yeah. Obviously, we just put the debrief. It just give you space also, the debrief from the questions/discussion that you had just now with the GNSO as well. If you wanted to any space to do that before we move on to other agenda items, feel free to do so.

TOM BARRETT:

I get the main objection and I voiced them already. I'm paraphrasing from last week as well, was that certain groups don't want to lose their voice, so I get that, which implies a perhaps after a rebalancing exercise, somehow they would be disenfranchised. So there's that concern. And then there's this somewhat of a barrier saying, "Let's not do this until we

do some sort of holistic review first.” Hopefully, upon reflection, that that doesn’t seem to be a legitimate barrier that we should face. That’s my takeaway. It may well be that ICANN Org is unable to do this or GNSO is unable to do this. I don’t think that’s an argument to say we shouldn’t do it, we shouldn’t make the ICANN Bylaw change. I think that I’ve done a lot of process improvement over the years. If the Big Bang approach doesn’t work—I think that’s what people are saying—you can’t do a holistic review and hope it gets done within a decade. But continuous improvement does work. So I think what we’re proposing is more of a continuous improvement approach. This ICANN Bylaw change does not change the status quo. But it certainly facilitates the organization to figure out how to fix what they think is a broken process, which is they’re unable to reform themselves. But I think we want to take the ICANN Bylaws off the table as an obstacle for that sort of reform taking place.

So that’s my takeaway. Does anyone else have any thoughts? Cheryl says, “Exactly and ATRT3 pushes Continuous Improvement as a critical aspect hand in hand with periodic holistic review.”

I think, again, I’m not sure the people who oppose this Bylaw are going to do anything different. But I think their arguments are fairly weak, frankly, in terms of why this ICANN Bylaw change should not go through. Go ahead, Cheryl.

CHERYL LANGDON-ORR:

I just wanted to make sure we got clear and on our record in response to a very useful meeting with the leads, the cream of the crop of the GNSO, and that is there was a concern, which some of us believed was as a

result of change of leadership, that we did not understand or we had not heard them properly when in fact we had interacted, we certainly understood, and we certainly were listening, and we took it all into consideration. Because we also had—

TOM BARRETT: I'm losing, you, Cheryl.

CHERYL LANGDON-ORR: Active members of our working group at the time [inaudible]. I'd say we've had more active members, including of the BC, at the time when these decisions were being discussed and being made for the choice in scenario. So now we've gone through this meeting today. Hopefully, the newer leadership where new leadership is in place, we will also feel that regardless of outcomes, they have been heard and we have had the opportunity to listen and understand, even though we know we've done it a lot earlier and we had kept the community up to date. It's an important exercise to have gone through and I thought a very valuable one. It's not the weakness or strength of the arguments because we heard those same arguments before. It's us having to do the best for the whole of the Nominating Committee and implementation of all its recommendations. Thanks.

TOM BARRETT: Thanks, Cheryl. I guess the question is we should anticipate what the OEC might ask. Obviously, we've conducted out additional outreach. I don't know if the opposition has diminished or if it will be the same.

We're short of taking a poll. We don't know where the community—how vocal they feel this issue is for them. Larisa?

LARISA GURNICK:

Thank you, Tom. Just as a point of clarification. So I think the OEC and the Board more broadly through the OEC thought that it would be useful for them to have informal conversations with the leadership of all the SOs and ACs. So the fact that this meeting happened I think is good. It seemed like a productive conversation and certainly brought all the viewpoints out into the open and hopefully clarified some things. But as far as I understand, the OEC is still planning to engage with the leadership of all the SOs and ACs, not just the GNSO to get their take on the proposal and make sure that everybody has had an opportunity to provide their input and voice their views. I hope that helps. Thanks.

TOM BARRETT:

Thanks, Larisa.

CHERYL LANGDON-ORR:

Tom?

TOM BARRETT:

Yes, Cheryl? Thanks, Tom. Just a point on that, Larisa. I'm fully supportive. I think that's a great idea. But I do hope the OEC remembers that in the case of the GNSO, they will be talking to the stakeholder group and constituency leads, not necessarily leadership of the GNSO Council. Where if I just look at the ALAC, now I may be talking to the

At-Large Advisory Committee, which unless they specifically request the leads of the equivalent to the SGs and Cs, which is in the case of the ALAC, for example, or in the case of the Regional Internet Registries, in the case of the ASO, the next level down as well. So if you're going to call parity, then do at least call parity properly, which is the unique aspect of how the GNSO is designed and "leadership" delivered is different and does need to be respected and dealt with within that same level or degrees down in management needs to be at least offered to the ASO and the ALAC. It's less obvious in the cc, obviously, but it may be regional connections there as well. You might want to have CIRA and those sorts of regional lead voice seeing as well. Otherwise, it's not equitable again. And yes, I am biased by it. Thanks.

TOM BARRETT:

Thanks, Cheryl. Good point. I guess my takeaway I think Wolf articulated it pretty well so I'll assume that he represents the consensus view of people who don't like this which is, "Well, if you do this ICANN Bylaw change and the GNSO either would not be able to do an exercise or if they did, you would maintain the status quo so why bother doing the ICANN Bylaw change? So I guess that, in my mind, summarizes the argument for against doing this recommendation because the sense is it won't change anything.

I guess that's how I would summarize the resistance. I don't know if anyone else have anything else to add. Should we move on to the next agenda item? We have time. To remind us what Recs 11, 12 are?

KRISTY BUCKLEY: Sure, Tom. I can share my screen. I think this should be relatively quick with the remaining time available. Share screen. Okay. Can you all see the spreadsheet?

TOM BARRETT: Yes.

KRISTY BUCKLEY: Okay. So 11 and 12 are basically just what we talked about in the debrief from the discussion with Göran last week, which is staff reporting and budgeting and staffing resources. And based upon that conversation and the debrief that you just had where we wrote some notes from the last week's call, which is that we're proposing that this Recommendation 11 be considered complete following the discussion with ICANN CEO, noting that NomCom support staff report to John Jeffrey, who is the deputy for the CEO and part of the Office of the CEO. Therefore, NomCom staff are already accountable to the office of the CEO. So we just wanted to suggest that the RIWG could have a quick discussion and see if they want to make a decision on that today. And same thing for Rec 12 on budgeting, noting the role of the Standing Committee in the charter.

TOM BARRETT: Thanks, Kristy. Anyone have any comments, objections to this implementation of Rec 11?

CHERYL LANGDON-ORR: Tom, I'm always ticking things off as soon as we can reasonably, practically, and possibly do so. So I think Rec 11 and 12 as annotated, as proposed to be annotated, because of the annotations that are critical here should in fact move to the next completed aspects. But I also need to leave to join another meeting at the top of the hour, so if I suddenly disappear, that is why. Thanks.

TOM BARRETT: All right. Thanks, Cheryl. So do we have any loose ends then, Kristy, assuming we agree with you? What you have here in column M, are there any loose ends for these two recommendations?

KRISTY BUCKLEY: No. I don't think so other than it's the role of the Standing Committee. Of course, we can compile those and then look at the charter, just make sure that that's lined up. But we just wanted to make sure that there was an opportunity to have a clear decision from the working group on these two, if you agree that they should be considered complete.

TOM BARRETT: All right. Would you like a show of hands in the chat? How would you like us to get consensus on this?

KRISTY BUCKLEY: Sure. It's always good forum, I guess.

TOM BARRETT: All right. Can everyone indicate with up or down hand? How do you do it? You go to Reactions in Zoom and you say thumbs up. Oh, I'm sorry. I don't see a thumbs down. Is there one?

CHERYL LANGDON-ORR: Yeah. You're better off to use the check or the cross. The thumbs up and things, they don't last as long. So you're trying to count.

TOM BARRETT: We'll do a green checkbox or a red X. If everyone could indicate either a green check or red X. Green means you support it. Red means you don't. I'm seeing a bunch of checkmarks. I'm not seeing any red. One, two, three, four, five. I think we got everybody. Tracy? All right. So that approves these two. Do we have time for the last agenda item, Kristy, before we get to the other meetings?

KRISTY BUCKLEY: Probably not. I don't think it's going to take much time, but given that we've got three minutes left, maybe it's okay. We have a few slides and a bit of explanation on this one. Maybe we table it for the next call, if that's okay.

TOM BARRETT: Yeah. So that actually is on the screen as well, Rec 23, the candidate pool data. So we'll lead off to the next call talking about that.

KRISTY BUCKLEY: Okay, great. So the action items, yeah, the decisions are that Recs 11 and 12 are complete. We'll work on the agenda for the next call starting with Rec 23.

TOM BARRETT: Fantastic. And the finding of a final slide with the next meeting.

KRISTY BUCKLEY: Yes. I will stop sharing so that that can do so. The next meeting is on the 23rd.

TOM BARRETT: Okay. Any other business, guys?

KRISTY BUCKLEY: I think that's it.

TOM BARRETT: Thanks, everybody.

KRISTY BUCKLEY: Thank you all.

LARISA GURNICK: Thank you. Bye-bye.

TERESA ELIAS: Thank you.

[END OF TRANSCRIPT]