AT-LARGE ADVISORY COMMITTEE
ALAC Statement on the Board Working Group Report on Nominating Committee (BWG-NomCom)

Introduction

Eduardo Diaz, ALAC member from the Latin American and Caribbean Islands Regional At-Large Organization (LACRALO) and ALAC Leadership Team member, composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists.

On 17 September 2014, this Statement was posted on the At-Large Board Working Group Report on Nominating Committee (BWG-NomCom) Workspace.

On 09 October 2014, a final version of the Statement was posted on the aforementioned workspace and the Chair requested that Staff open an ALAC ratification vote on the proposed Statement.

On 16 October 2014, Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 14 votes in favor, 0 vote against, and 0 abstentions. You may review the result independently under: https://www.bigpulse.com/pollresults?code=4285KdndQa5d7nJwXqcvPk2v.

Summary

1. ALAC believes that Recommendation #8 is potentially destabilizing and complex for a process that has worked well in the past. We recommend deferring this recommendation and it to be re-evaluated in a future NomCom review.
2. The changes in the member composition in Recommendations #1 and #3, voting rights in Recommendation #7 and GNSO normalization in Recommendation #2 provide a welcome modification that enhances diversity and parity.
3. ALAC supports a staggered 2-year and term limit for its members included in Recommendation #9. However it should clearly state that, in addition to allowing the NomCom to remove any member by a vote of two-thirds (2/3) of its members, the appointing organizations may also remove any of its NomCom representatives according to their rules and procedures. The recommendations need to cover transition situations where existing NomCom delegates have served 1 or 2 years.
4. ALAC supports Recommendation #10 regarding expanding the scope outside of the ICANN community for the selection of the NomCom Chair, but adds the caution that bringing in someone with no ICANN NomCom experience and no substantive knowledge of ICANN might be counter-productive.
5. Regarding Recommendation #12, the concept of a Chair-in-training or Chair-in-waiting is quite compelling. Perhaps the Associate-Chair should be a Board-appointed position and could be a possible future Chair, but with no presumption of such succession.
6. The interim chair process included in Recommendation #12 needs to be clarified and specific to avoid misunderstandings. Another option to be considered is keeping the current three member NomCom Leadership Team.

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The At-Large Advisory Committee (ALAC) welcomes the opportunity to comment on the proposed recommendations submitted by the Board Working Group on Nominating Committee (BWG-NomCom) regarding size and composition of the Nominating Committee (NomCom), as well as recruitment and selection functions.

The report contains an innovative delegative voting process in Recommendation #8, which, according to its rationale, improves parity and promotes deliberation and consensus building within the organizations represented in the NomCom. ALAC believes that this recommendation is potentially destabilizing and complex for a process that has worked well in the past. For example, in the last four years, each NomCom has taken a formal vote only once, to confirm the final slate, and every year the decision has been unanimous. We recommend deferring Recommendation #8 at this time and it to be re-evaluated in a future NomCom review.

The changes in the member composition in Recommendations #1 and #3, voting rights in Recommendation #7 and GNSO normalization in Recommendation #2 provide a welcome modification that enhances diversity and parity.

ALAC supports a staggered 2-year and term limit for its members included in Recommendation #9. However it should clearly state that, in addition to allowing the NomCom to remove any member by a vote of two-thirds (2/3) of its members, the appointing organizations may also remove any of its NomCom representatives according to their rules and procedures. The report needs to be specific on transition rules from the old structure to the new one. For example, are groups allowed to re-appoint someone who has already served 1 or 2 years?

ALAC supports Recommendation #10 regarding expanding the scope outside of the ICANN community for the selection of the NomCom Chair as this will expand the pool of qualified candidates, but adds the caution that bringing in someone with no ICANN NomCom experience and no substantive knowledge of ICANN might be counter-productive.

The rationale on the removal of the Chair-Elect provided in Recommendation #12 has merit, but the concept of a Chair-in-training or Chair-in-waiting is quite compelling. Perhaps the Associate-Chair should be a Board-appointed position and could be a possible future Chair, but with no presumption of such succession.

The interim chair process included in Recommendation #12 needs to be clarified and specific to avoid misunderstandings. For example, the pool of "delegation heads" is a term that is not defined anywhere in the report and it should be. Also, the use of "could" implies that the appointment of an interim Chair is an optional action in case of unforeseen vacancy in the Chair position. This should be mandatory. Otherwise it could lead to instability also. Another option to be considered is keeping the current three member NomCom Leadership Team. This way the NomCom may be able to continue without inducting new members even if one member drops out by any chance.