

NomCom2 Review Implementation Public Comment and NomCom Rebalancing Correspondence

Presentation for the Joint ALAC / OFB-WG Meeting



8 May 2023

Overview:

1. NomCom2 Review implementation and the NomComRIWG
2. ICANN Public Comment proceeding
3. NomCom Rebalancing Correspondence

Purpose:

To highlight for the ALAC/OFB-WG that an important Public Comment proceeding is underway, so that you have information to provide an informed comment, if you wish.

NomCom2 Review Implementation and the NomComRIWG

NomCom2 Review Implementation and the NomComRIWG

- The second Organizational Review of the NomCom (**NomCom2 Review**) concluded in 2018, with the publication of the independent examiner's Final Report.
- The NomCom2 Review Implementation Working Group (**NomComRIWG**) oversaw the implementation of the recommendations as approved by the Board, and was composed of community volunteers from various SOs and ACs (see membership [here](#)), while remaining open to new members throughout its work.
- The NomComRIWG submitted regular implementation status reports to the ICANN Board via the Organizational Effectiveness Committee (OEC), including its final implementation report in 2022.
- The NomComRIWG will address feedback from the NomCom2 Review ICANN Public Comment proceeding, where relevant.

At-Large Participation in the NomComRIWG

- **NomComRIWG Co-Chair:**

Cheryl Langdon-Orr

- **NomComRIWG Members:**

Ejikeme Egbuogu, Tracy F. Hackshaw, Dave Kissoondoyal, Raymond Mamattah, Remmy Nweke, Vanda Scartezini, Nadira Al-Araj, Leah Symekher, Shreedeeep Rayamajhi

- **NomComRIWG Observers:**

Cherie Lagakali, Lilian Ivette De Luque Brugues, Satish Babu, Wale Bakare

ICANN Public Comment Proceeding

ICANN Public Comment Proceeding

- The [ICANN Public Comment](#) opened on Monday, 17 April 2023, and will close on **Monday, 29 May 2023**.
- **We are requesting input on:** A group of proposed documents that are related to the NomCom2 Review implementation.
- This ICANN Public Comment is part of a Standard and Fundamental ICANN Bylaws Amendment process initiated by the ICANN Board, which is a necessary step to complete the implementation.

ICANN Public Comment Proceeding

The proposed amendments to the ICANN Bylaws are related to four NomCom2 Review recommendations:

- **Two-year terms (recommendation 7):** “NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.”
- **All voting members (recommendation 9):** “All NomCom members should be fully participating and voting members, except for NomCom leadership.”
- **Standing Committee (recommendation 24):** “An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomComs, and in particular, to recommend and assist in implementing improvements to NomCom operations.”
- **Unaffiliated Board Directors (recommendation 27):** “Provide clarity on desire for independent directors and designate three specific seats for ‘Unaffiliated’ Directors.”

ICANN Public Comment Proceeding

The proposed amendments to the ICANN Bylaws are related to four NomCom2 Review recommendations:

- Two-year terms (recommendation 7) => **Article 8.**
- All voting members (recommendation 9) => **Article 8.**
- Standing Committee (recommendation 24) => **Article 8.**
- Unaffiliated Board Directors (recommendation 27) => **Article 7.**
- Transition => **Article 27 in the proposed ICANN Bylaws defines how these new requirements will be transitioned into practice.**

Proposed Documents

There are two additional proposed documents, produced by the NomComRIWG, that are necessary to view in order to give context to the proposed Bylaws amendments:

- Statement on “Unaffiliated Directors”
- Draft Charter for the NomCom Standing Committee

Questions for Input

1. Do you have input on the [Fundamental Bylaws amendment](#) proposed for Article 7 of the ICANN Bylaws and the related proposed statement defining “Unaffiliated” Directors?
2. Do you have input on the proposed [Standard Bylaws amendments](#) proposed to Article 8 of the ICANN Bylaws as well as the Transition Clause proposed for Article 27? These would:
 - a. Change NomCom delegates’ terms to serve two-year terms, instead of one year.
 - b. Transform all NomCom delegates into voting delegates to be able to vote, except for leadership.
 - c. Create a NomCom Standing Committee to provide continuity across annual NomCom cycles and to build the institutional memory of the NomCom.
3. Do you have input on the NomCom [Standing Committee Charter](#)?
4. Do you have input on the [requested changes to Article 12](#) related to the RSSAC?

Next Steps

- **ICANN org summary report** of submissions to the Public Comment proceeding to the Board for further consideration.
- The **NomComRIWG may address feedback** on the proposed implementation, where relevant, in advance of further action by the Board.
- If the Board approves the **Fundamental Bylaws Amendment** presented for Article 7 (and the corresponding “Unaffiliated” Director statement), that proposed amendment will then move to the Empowered Community to consider within its Approval Action processes set out at Annex D, Article 1 of the ICANN Bylaws.
- If the Board approves the **Standard Bylaws Amendments** presented for Articles 8, 12, and 27, those amendments will then move to the Empowered Community to consider exercising its right to reject those amendments, as set forth in Annex D, Article 2 of the ICANN Bylaws.

NomCom Rebalancing Correspondence

Background

The ICANN community has been discussing the topic of rebalancing of the NomCom for over 10 years.

Recognizing that ICANN has an important responsibility to address this topic, the ICANN Board [resolved](#) in March 2023 to engage with the ICANN community to understand community views on NomCom rebalancing and provide an update to the Board by September 2023.

Six Questions for Community Input

1. What does it mean to have a balanced NomCom? What criteria would you apply to measure that the NomCom is balanced?
2. Do you support the need for the current composition of the NomCom to be rebalanced? Please explain why or why not.
3. How frequently does the balance need to be checked and reset?
4. How do you suggest that the NomCom be rebalanced?
5. Who should conduct this work, and how should it be conducted?
6. How would your community group prioritize this work within your planning efforts?

Next Steps

- [ICANN Correspondence](#) was sent on behalf of the ICANN Board Chair to the community leaders (21 Chairs in total), including:
 - Jonathan Zuck, ALAC Chair
 - Seun Ojedeji, AFRALO Chair
 - Amrita Choudhury, APRALO Chair
 - Sébastien Bachollet, EURALO Chair
 - Augusto Ho, LACRALO Chair
 - Gregory Shatan, NARALO Chair
- The correspondence requests community feedback by the end of June, in light of the ICANN77 Policy Forum.
- The feedback will be analyzed to inform next steps regarding NomCom rebalancing, in line with the Board resolution.

Thank you!



Contact the Reviews Support & Accountability Team:
GDS-Review-Support-Team@icann.org



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<https://community.icann.org/x/aBplBg>



ICANN.org website:
<https://www.icann.org/resources/reviews>