

**From:** Larisa B. Gurnick  
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**Cc:** [atrt2 \(atrt2@icann.org\)](mailto:atrt2@icann.org)  
**Subject:** RE: [atrt2] Research reference to recommendations not being implemented WS1  
**Date:** Tuesday, September 03, 2013 11:24:00 AM

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Lise,

Please note that NomCom Review is part of the Structural Reviews mandated by ICANN Bylaws and overseen by the Structural Improvements Committee (SIC) of the Board (<http://www.icann.org/en/groups/board/improvements>).

Information about the NomCom Review is available on the ICANN web site (<http://www.icann.org/en/groups/reviews/nomcom>).

Please see NomCom's Improvement Implementation Plan (<http://www.icann.org/en/groups/reviews/nomcom/nomcom-improvements-implementation-plan-01mar12-en.pdf>) which addresses in detail each of the 17 Recommendations made by the Independent Reviewer and incorporated in the Final Report of the NomCom Review Finalization Working Group (29 January 20130) (<http://www.icann.org/en/reviews/nomcom/nomcom-review-finalization-wg-final-report-29jan10-en.pdf>).

The responsibility for overseeing the work of the independent reviewer as well as the implementation of the recommendations adopted by the Board is within the mandate of the SIC.

Should you have additional questions about the NomCom Review and the oversight of the implementation of recommendations after you review the information referenced above, staff will organize a call with all the appropriate individuals.

Best regards,

Larisa

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**From:** [atrt2-bounces@icann.org](mailto:atrt2-bounces@icann.org) [mailto:[atrt2-bounces@icann.org](mailto:atrt2-bounces@icann.org)] **On Behalf Of** Lise Fuhr  
**Sent:** Friday, August 30, 2013 12:56 AM  
**To:** [atrt2@icann.org](mailto:atrt2@icann.org)  
**Subject:** [atrt2] Research reference to recommendations not being implemented WS1

Dear all,

According to our schedule for Proposed Observations or Recommendations for Discussion, I should do research for recommendations not being implemented. I have found the following remark from Adam Peake at our NomCom meeting in Durban page 25 - 26 in the transcript:

*"ADAM PEAKE: I'll ask my own question if I may. I'm interested to know how you're looking at accountability and review. I know there has been a lot of discussion about reconsideration and so on, but the part that interests me from the bylaws there is how you're considering the periodic reviews that should take place of the ICANN structures themselves. They don't seem to be audited. The input doesn't seem to continue. I would think that would be something that your committee might look at given the similarity in terms that you have in your titles there. And the Nominating Committee is a good example of that. There was a Nominating Committee [review?LFU] some years ago and there has been very little implementation.*

*If you look at the GNSO review that happened where we saw a restructuring into contracted and non-contracted parties, the delegates that come from the GNSO to the Nominating Committee do*

*not reflect the structure of the GNSO as it currently exists.*

*So we have quite uncomfortable mismatches going on with what exists with the reality of how the organization works and then how the Nominating Committee reflects that, for example. And so we don't seem to have very much auditing and processing of what happens with this rather important part of accountability and review that is in the bylaws of ICANN. So I wonder if you would like to take a look at that. Thanks."*

Brian's answer:

*"BRIAN CUTE: Just a quick response to Adam. One of the things we have to deliver is a recommendation on the Affirmation of Commitments review process itself. We want to make sure that this review process and the three that precede it are improved going forward. In that light, we have heard some comments to the effect that we need to be wary of the organization and not reviewing itself to death. It's comments we've heard. So we're in listening mode. I think those comments tie in to the point you raise about it might be appropriate for this Review Team to look at the other review processes in that broader light."*

In order to shed more light on the issue one could contact Adam Peake and ask which NomCom review that is not being implemented or audited.

It could also be a general recommendation that all reviews need to have a follow up on implementation of recommendation.

Best,  
Lise