

Diversity

Link: <https://community.icann.org/x/saw0Aw>

Problem Statement

During the first public comment period on the draft document built by the CCWG, there were several comments with regards to diversity and how the proposed mechanisms, so far, didn't address this topic fully.

The current CCWG draft refers to diversity in several places: IRP panel composition, « AoC » review teams composition, community mechanism, etc.

Some comments express concern about diversity. Several commenters requested more details about the concrete steps, or asked to more explicit support enhancements of diversity within ICANN.¹

It is not just a middle and long-term issue (workstream 2) but also some immediate actions (WS1) must be taken.

Overall, the concern expressed by some is related to the ability of the ICANN community (through the Board/NomCom/SO/ACs, the review teams or other groups) to represent the diversity of views, origins and interests of the global Internet community.

On the other hand some commenters, while acknowledging the importance of diversity in the accountability mechanisms, have expressed their view that diversity requirement should not prevail over skills or experience requirements.

¹ Comments that included reference to diversity came from: AFNIC, Gov: ES - BR - IN - FR, CCG, Linx, JPNIC, IPC, ZR, Jan Scholte, Eco, BC, ISPCP, Board, SBT

As the community becomes empowered, there's a concern that the newly created bodies need to include the dimension of diversity:

- IRP
“Brazil considers that geographic, cultural and gender diversity is a key element and should be a mandatory criterion in the selection of IRP panelists.”
- Other (including in the « Community empowerment mechanism »
““Improve diversity in all its aspects at all levels of the organization” could already be better reflected in WS1 proposal”.

A multidimensional approach will be useful to be taken into account regarding diversity.

A, non-exhaustive, unordered² list of elements, that is under discussion and includes but is not limited to:

- Skill set
- Region
- Origin
- Culture
- Language
- Gender
- Age
- Disability
- Stakeholder group
- ...

In the comment to include a continuous improvement path regarding diversity within ICANN, we can underline the following regarding WS1:

² Some in the work party argues that the list should be ordered. Initial discussions about ordering the diversity elements in terms of priority indicated that it would be challenging to find consensus on any ordered list.

- Make explicit commitments regarding diversity in the proposed new accountability bodies.
- Expand ATRT reviews into **Accountability, Transparency and Diversity Reviews**. The review team would be tasked to assess and make recommendations regarding diversity across all ICANN bodies.
- Establish threshold regarding composition of each body (will depend of the body and of the overall composition) to avoid possible blocking on certain votes.
- Transform the Structural Reviews into **Structural Accountability, Transparency and diversity Reviews of SO/ACs**, under the Board's supervision.

In the comments, we can underline the following proposals regarding WS2:

- Set-up a **Diversity Office**
- Set-up an **Election Office**
 - ○ Those two offices can be merged and can be included or not in the Office of the ICANN Ombudsman
- Include regional (if not other) diversity among the main ICANN leadership position and in each groups.
- Rotation of the ICANN meetings in all the ICANN regions.

Some have linked the Diversity issue(s) with the following items:

- Limit the number and the length of office/mandate
- Election
- Conflict of interest
- Translation

After considering the comments received by the community, the CCWG established WP3 to propose ways to address the concerns raised during the first public comment period.

First study steps (identifying – reviewing – next steps)

As a result of this work, WP3 divided its work into the following steps:

1. Identify the existing mechanisms in place for Board/Staff/NC/SO/AC/SHG... regarding diversity.
2. Review existing mechanisms in order to assess if they address the concerns expressed by the community during the first public comment period.
3. Build a list of activities that should be taken in both WS1 and WS2.

The documents to be reviewed are:

1. [ICANN bylaws](#)
2. [The Affirmation of Commitments](#)
3. [ATRT 1 recommendations](#) and [ATRT 2 recommendations](#)
4. Organizing Documents of each ICANN groups

A first (too quick) review of existing ICANN documentation shows that there are provisions regarding regional diversity for some ICANN groups.

Affirmation of commitments

The AoC didn't include any reference regarding diversity.

ATRT

Different reference to diversity but (from my quick reading) no specific recommendation with regards to Board/SO/AC diversity has been made by the ATRT.

Bylaws

ICANN bylaws state

Board

« One intent of these diversity provisions is to ensure that at all times each Geographic Region shall have at least one Director, and at all times no region shall have more than five Directors on

the Board (not including the President). As used in these Bylaws, each of the following is considered to be a "Geographic Region": Europe; Asia/Australia/Pacific; Latin America/Caribbean islands; Africa; and North America. »

NomCom

“Section 5. DIVERSITY

In carrying out its responsibilities to select members of the ICANN Board (and selections to any other ICANN bodies as the Nominating Committee is responsible for under these Bylaws), the Nominating Committee shall take into account the continuing membership of the ICANN Board (and such other bodies), and seek to ensure that the persons selected to fill vacancies on the ICANN Board (and each such other body) shall, to the extent feasible and consistent with the other criteria required to be applied by [Section 4 of this Article](#), make selections guided by Core Value 4 in [Article I, Section 2](#).”

ccNSO Council

“The ccNSO Council shall consist of (a) three ccNSO Council members selected by the ccNSO members within each of [ICANN's Geographic Regions](#) in the manner described in [Section 4\(7\) through \(9\) of this Article](#),”

ASO

“Under the terms of the MoU signed between ICANN and the RIRs in October 2004, the NRO Number Council now performs the role of the Address Supporting Organization Address Council (ASO AC).

The regional policy forum of each RIR selects two members. The Executive Board of each RIR also appoints one person from its respective region³.”

“The ASO Address Council shall consist of the members of the NRO Number Council⁴.”

gNSO Council

Regarding the GNSO the “only” diversity dimension is at the level of the Stakeholder Group that selects the council members.

GAC

Principle 21

If the GAC moves to require additional officers other than the Chair, then three (3) Vice-Chairs shall be elected from among the Members. To the extent possible, the Vice-Chairs should appropriately reflect the geographic and development diversity of the membership. The Chair shall hold office for a term of two (2) years, renewable once. The Vice-Chairs shall hold office

³ <https://www.nro.net/about-the-nro/the-nro-number-council>

⁴ <http://archive.icann.org/en/aso/aso-mou-29oct04.htm>

for a term of one (1) year and may be re-elected; however no person may serve as Vice-Chair for more than two consecutive terms.⁵

SSAC

No reference

RSSAC

No reference

ALAC

“The ALAC shall consist of (i) two members selected by each of the Regional At-Large Organizations ("RALOs") established according to paragraph [4\(g\) of this Section](#), and (ii) five members selected by the Nominating Committee. The five members selected by the Nominating Committee shall include one citizen of a country within each of the five Geographic Regions established according to [Section 5 of Article VI](#).”

ICANN Staff

No reference

Having reviewed and inventoried the existing mechanisms related to Board/NomCom/SO/AC diversity, it is clear that current documents do not address the full concerns raised by the larger community on this issue.

Next steps

Therefore, the WP3 suggests that the CCWG takes the following actions with the view to enhancing (further) ICANN’s effectiveness in promoting diversity:

1. Review its current draft document and include in its next proposal diversity as an important element for the creation of any new structure (including the one of the cwg – transition).
2. Include the evaluation of the proposed evolution of the ATRT into **Accountability, Transparency and Diversity Reviews** and of the Structural Reviews into **Structural Accountability, Transparency and Diversity Reviews of SO/ACs**.

⁵ <https://gacweb.icann.org/display/gacweb/GAC+Operating+Principles>

3. Review in more detail and establish a full inventory of the existing mechanisms related to diversity for each and every ICANN group (including SHG, Constituencies, Ralos... Fellowship program and other ICANN outreach programs). As after a (too quick) review of the current documents, it is clear that they do not address the full concerns raised by the larger community on the diversity issue.
4. Identify the possible structures that could follow, promote and support the strengthening of diversity within ICANN.
5. Establish a commitment to carry out a detailed working plan on enhancing ICANN diversity as part of WS2.
6. Following clarification of the institutional framework for the new 'community empowerment mechanism' and the IRP, devise a formula to ensure (as a first step) regional diversity in each.
7. Strengthen commitments to outreach and engagement in order to create a more diverse pool of ICANN participants, so that diversity is better reflected in the overall community and thus more naturally reflected in ICANN structures and leadership positions.

This document is still a draft version and didn't reflect a full consensus from the WP3. As the freeze is in few hours the WP3 has decided to send it to the full ccwg-accountability group.