ICANN NomCom Assessment Report

Prepared for: ICANN Public Webinar
By: Drs. Brown, Engle, and Rafert

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Introduction

- We have been hired as the Independent Examiner to conduct an independent review of the NomCom, as mandated by ICANN's Bylaws.

- The team has deep practical and research experience in analyzing non-profit (including volunteer-based organization) governance structures and in determining how organizations can develop more effective boards of directors.

- Relevant experiences includes past work with ICANN and knowledge of, and contributions to, the nonprofit management literature.

- Our team is led by Drs. William Brown, Mark Engle, and Greg Rafert.

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Project Scope

- **The goal of our review is to provide an assessment of:**

  - Whether the NomCom has a continuing purpose within the ICANN structure.

  - How effectively the NomCom fulfills its purpose and whether any change in structure, process, or operations is needed to improve effectiveness.

  - The extent to which the NomCom is accountable to the wider ICANN community, its organizations, committees, constituencies, and stakeholder groups.

Project Scope (continued)

- **The criteria examined during the review include, but are not limited to:**

  - Fulfilment of mission and adherence to policies and procedures.

  - Accountability and transparency to the public.

  - Composition, and membership processes and participation.

  - Communication among the NomCom's members and with the ICANN community.

  - Effectiveness of execution, including governance and management.

  - Evaluation and measurement of outcomes, such as whether NomCom processes identify skills needed by the bodies to which they are appointed.

Project Design

- **Our project is designed as a two-step process.**

- **Phase 1: Assessment**

  - Review of bylaws, policies, and other written materials.

  - 60 people interviewed during and after ICANN59 and ICANN60.

  - 85 responses to an online survey open to the entire community.

  - Assessment report submitted for feedback to the ICANN community.

- **Phase 2: Recommendations**

  - Recommendations report for public comment.

  - Final recommendations report.

Project Design (continued)

- **In the course of our project, we are coordinating with ICANN staff and the NomCom Review Working Party (RWP). They have:**

  – Assisted in outreach efforts.

  – Ensured our understanding of ICANN and NomCom policies and procedures is comprehensive and accurate, which provides the foundation necessary to provide specific, actionable recommendations.

- **This coordination does not affect our independence**

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Interview Process

- **We have spoken to 60 people during interviews at ICANN59, ICANN60, or remotely. Interviewees have included:**

  – Current and former NomCom members, Board members, and SO/AC members.

  – NomCom candidates/appointees.

  – NomCom staff, and other members from the ICANN community.

- **Interviewees were identified based on:**

  – Knowledge of NomCom processes and the NomCom's interactions with various ICANN stakeholder groups.

  – Interest in providing feedback on the NomCom.

  – Diversity of perspectives and experiences.

  – Recommendations from interviewees, RWP members, and staff.

Interview Process (continued)

- **Interviews were semi-structured, lasted approximately 45 minutes, and touched on a range of topics that reflected the review criteria, including:**

    – Purpose and the extent to which the NomCom fulfills its purpose.

    – Effectiveness of recruiting and evaluation processes.

    – Size, structure, and diversity.

    – Transparency, accountability, and fairness.

- **Interviewees were encouraged to share both strengths and weaknesses of the NomCom, and provide the Independent Examiner with suggestions for improving the NomCom.**
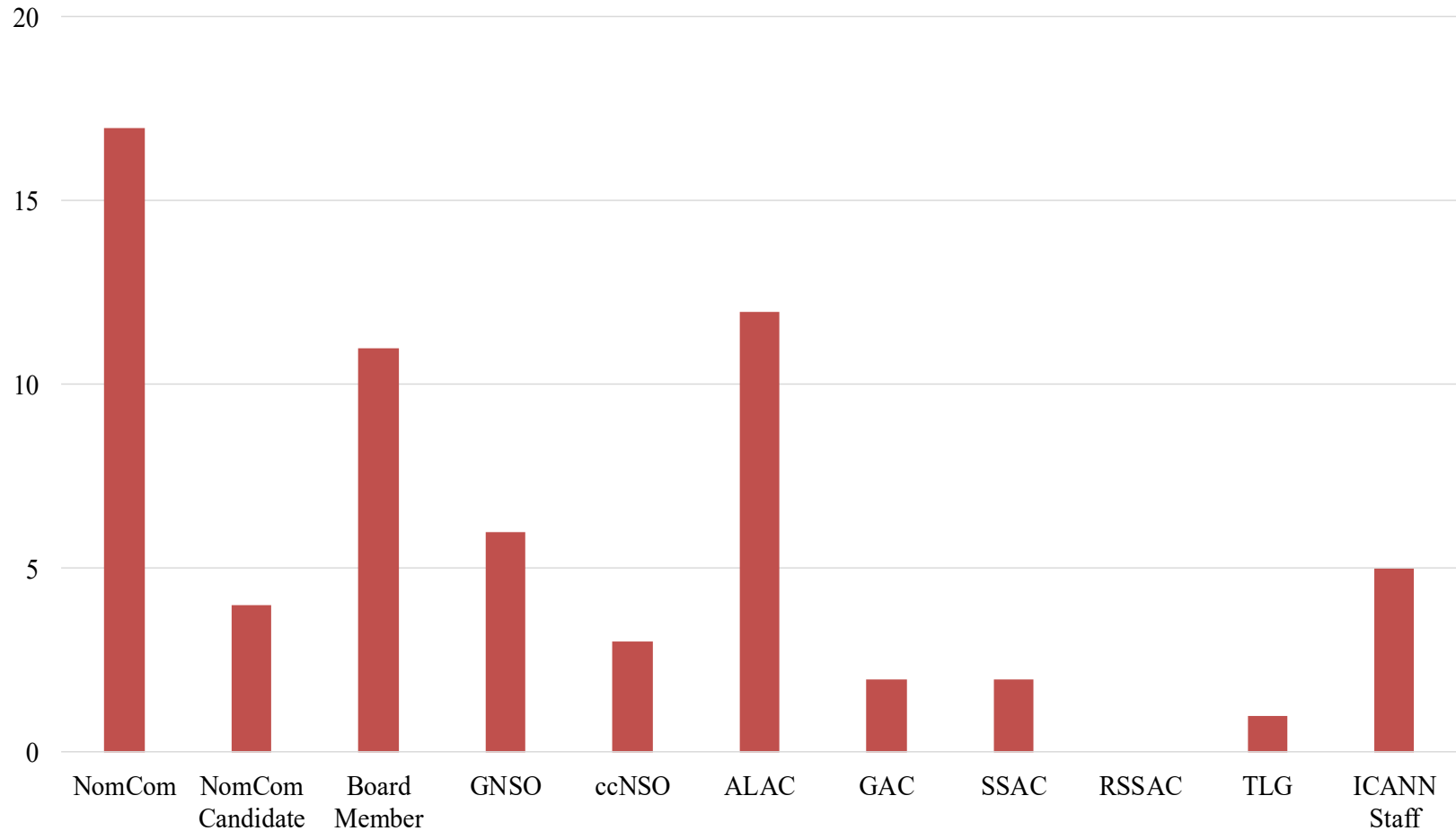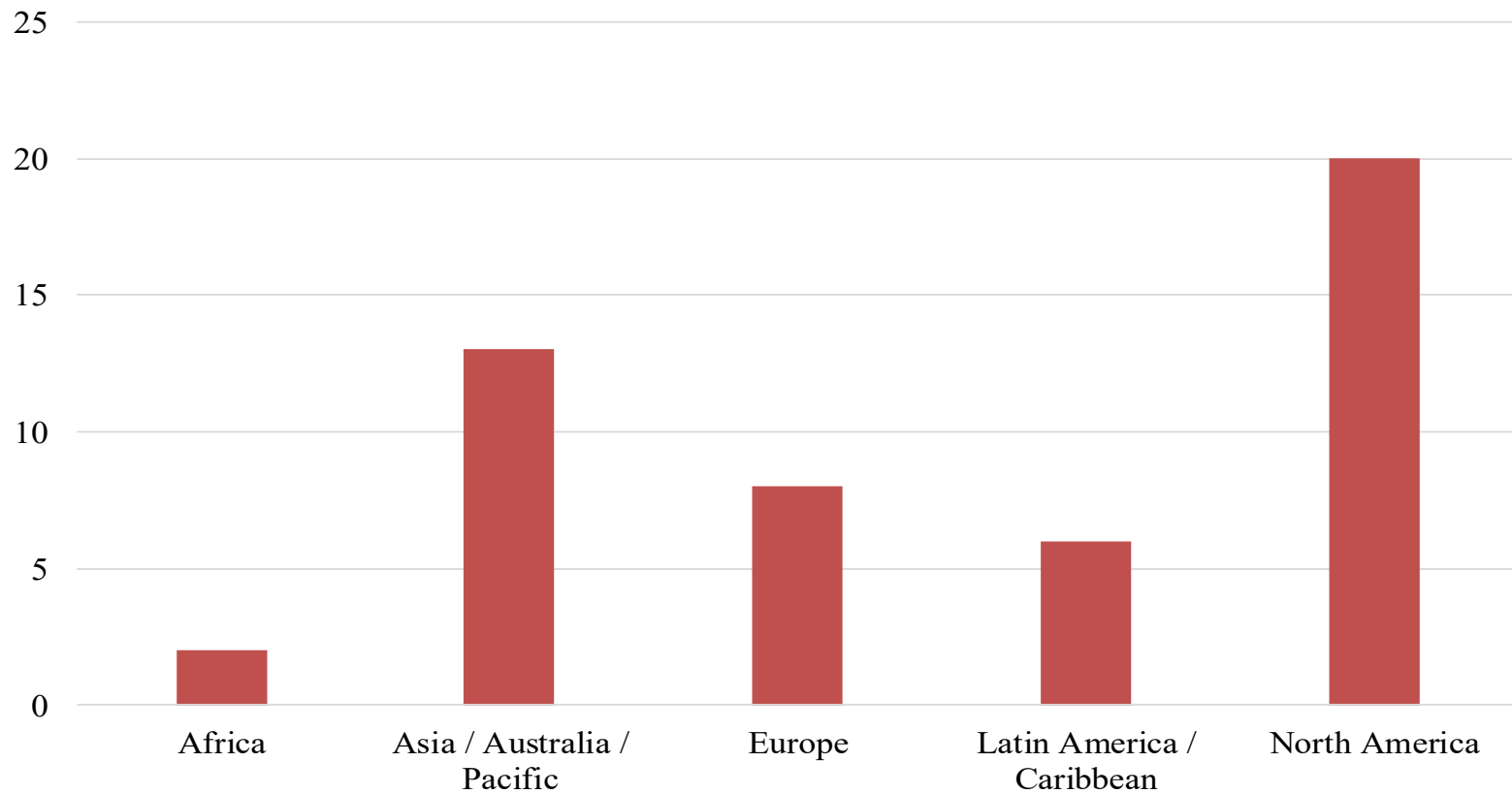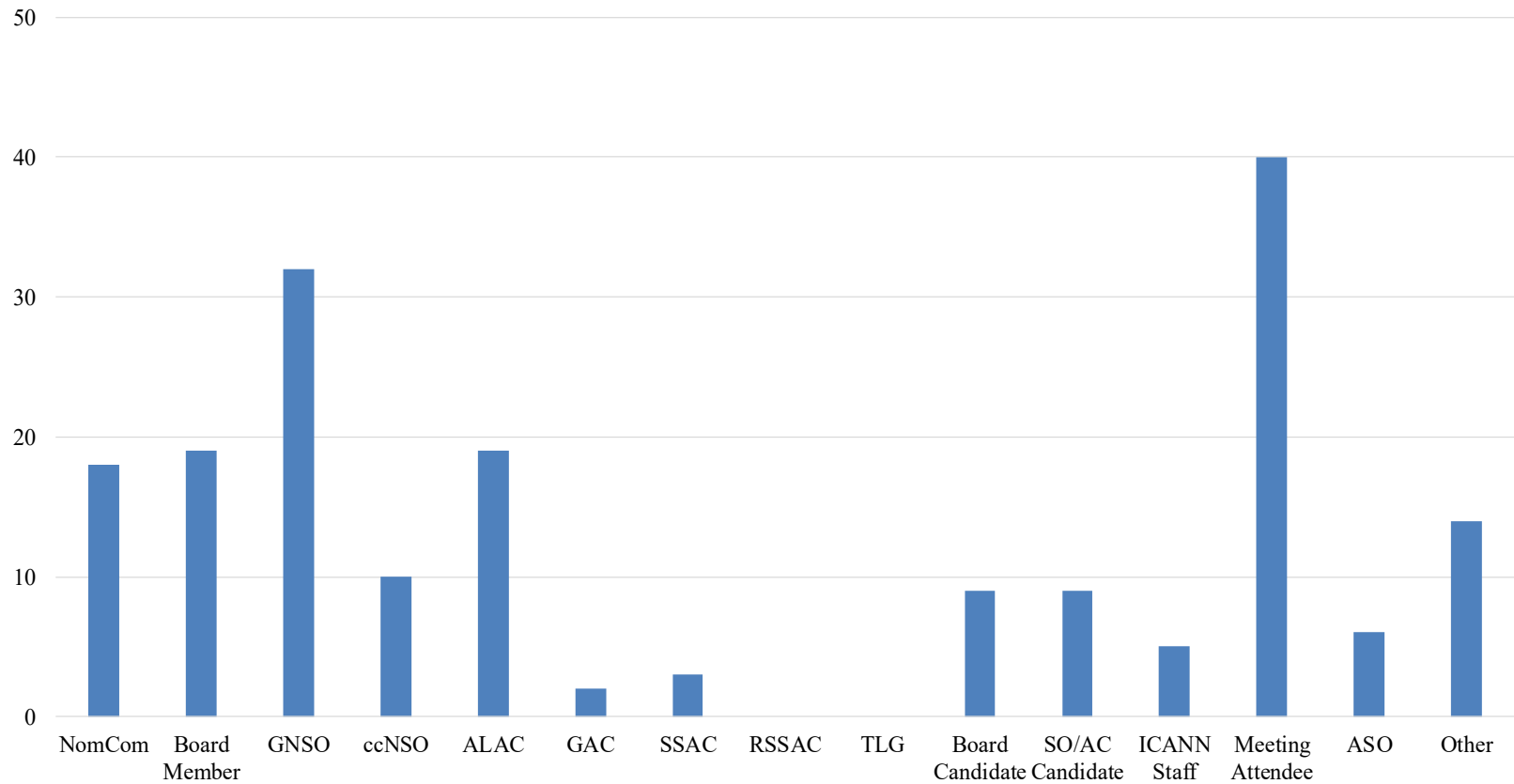
Gender Composition: Interviewees
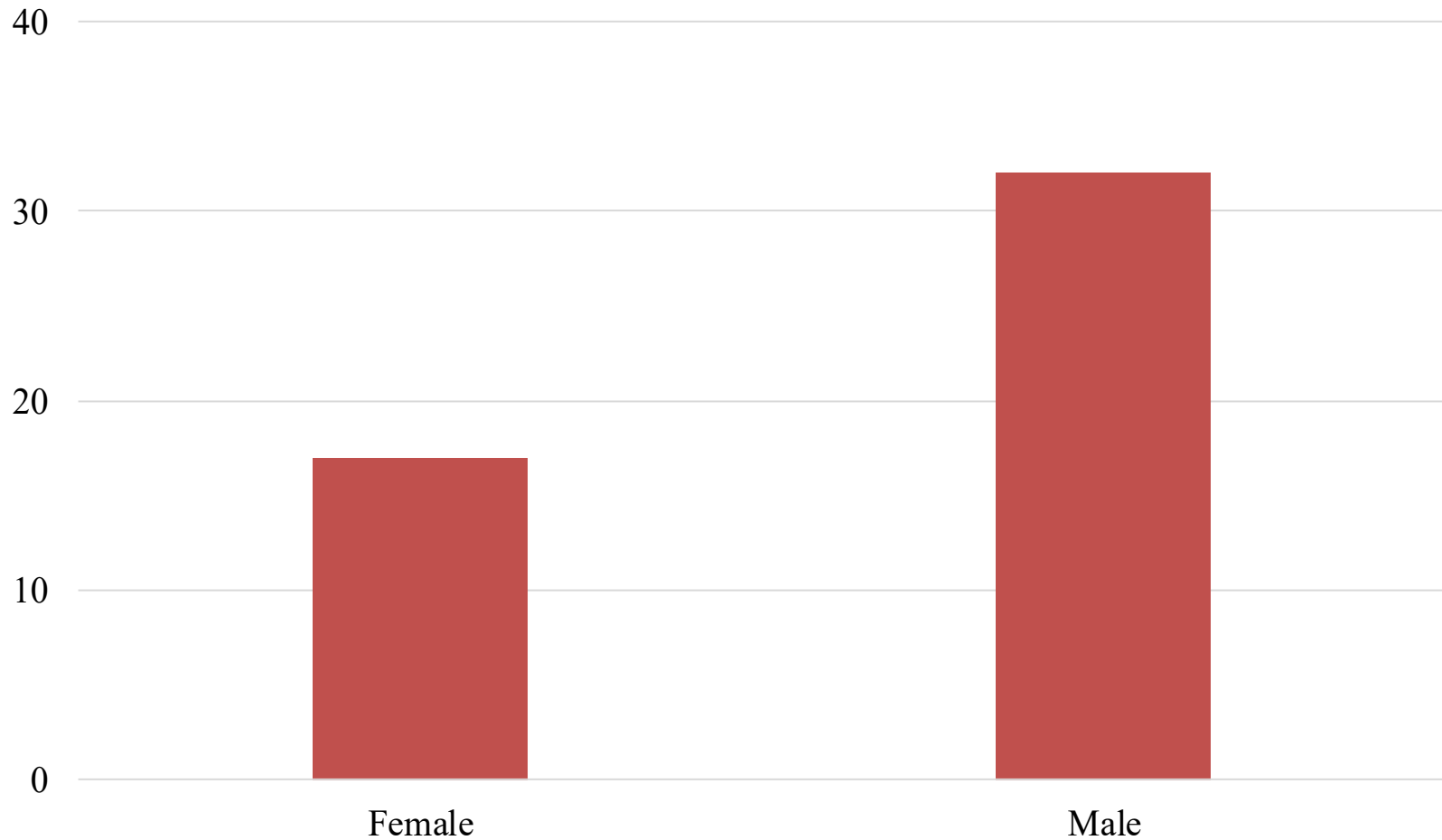
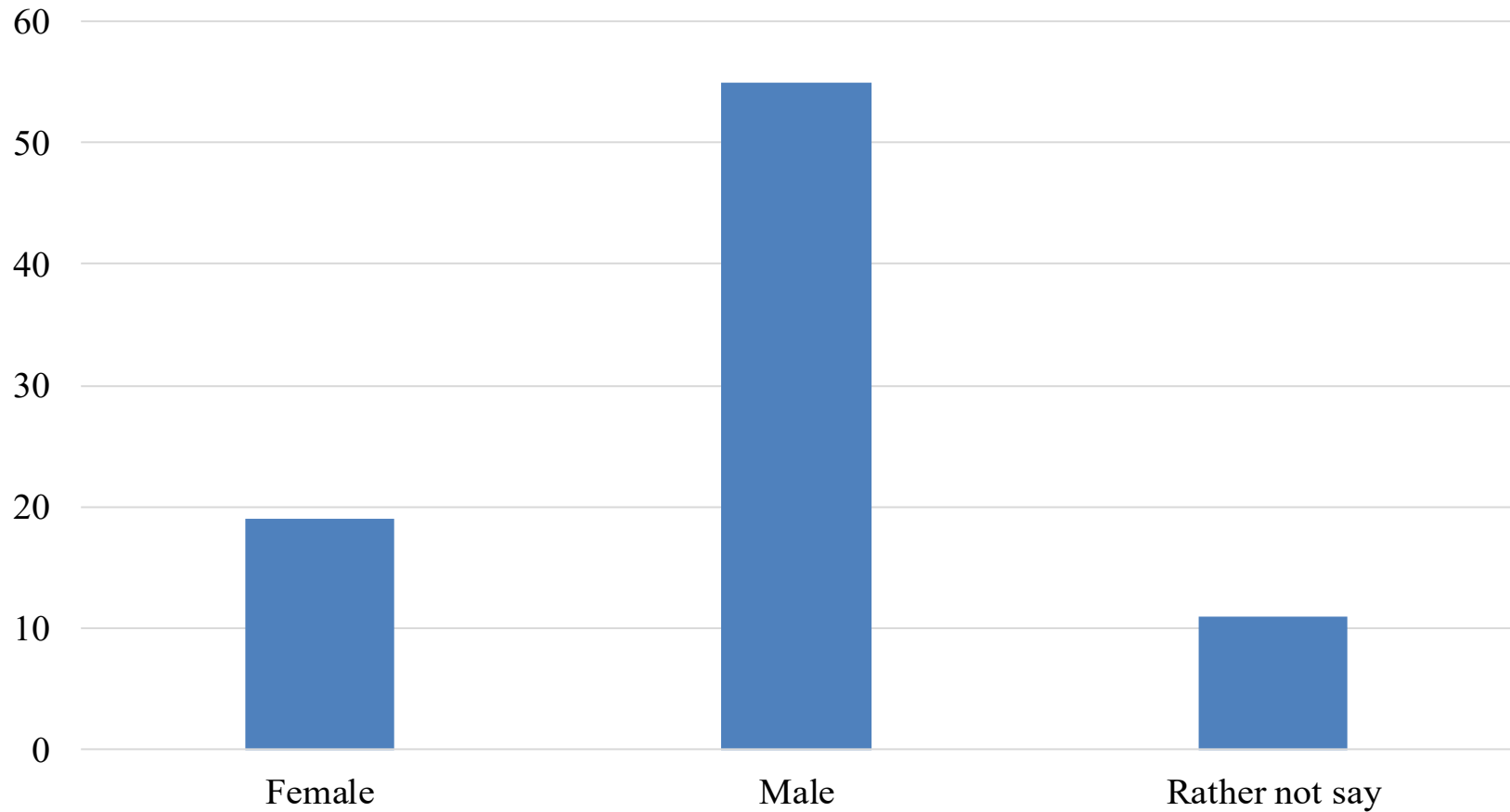# Region in which Interviewees Reside

Survey Process

- **Online survey received 85 completed responses**

- **Designed to elicit feedback on the NomCom's strengths and weaknesses from the community**

  - The survey is an information gathering tool and is not analyzed in a statistical manner.

  - Supplements interviews and casts a wider net within the ICANN community.

- **Informed by nearly 40 interviews**

  - The survey also provides an opportunity for free-form responses.

- **Survey promoted through:**

  - ICANN announcements and ICANN social media.
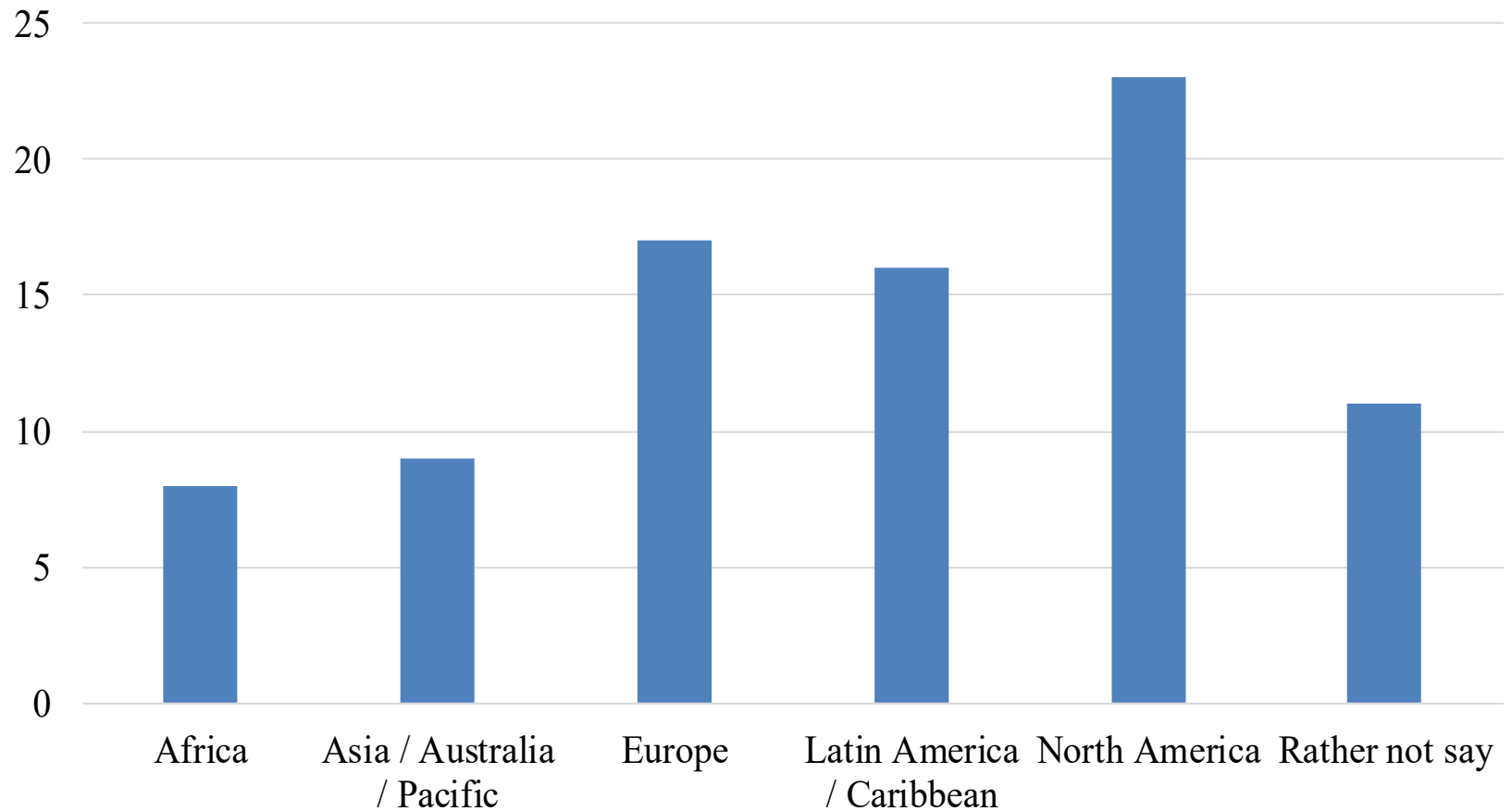
  - Outreach to community members conducted by the RWP.

Gender Composition: Survey Respondents

Region in which Survey Respondents Reside

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NomCom Skills and Experience

- NomCom members have significant technical and policy-related experience in their fields but have difficulty fully understanding the role of Board members and the skills and attributes needed to be a successful Board member at ICANN.

- NomCom members have exerted, and continue to exert, tremendous effort and time to the activities of the committee. On average, NomCom members lack substantive recruiting and selection experience for an organization the size and complexity of ICANN.

Ranking of Most Important Skills for NomCom Appointees to the ICANN Board
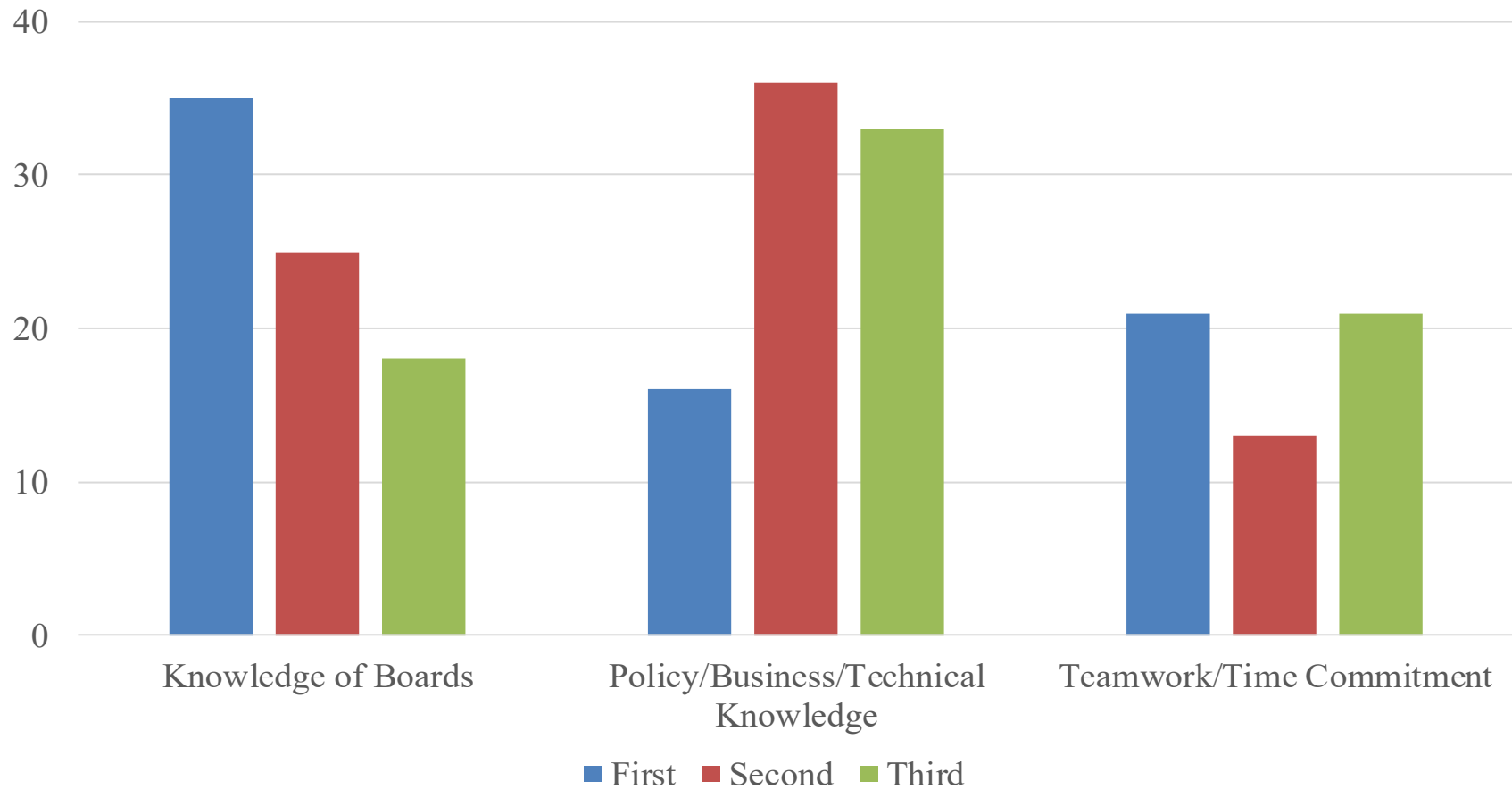
Independence and Effectiveness

- The extent to which NomCom appointees and members are independent and prioritize the interests of the global internet community in their decision-making is an area of concern within ICANN.

- The NomCom is generally seen as performing its role effectively, but there is room to improve the functioning of the NomCom.

How Effective is the NomCom in Performing its Role?
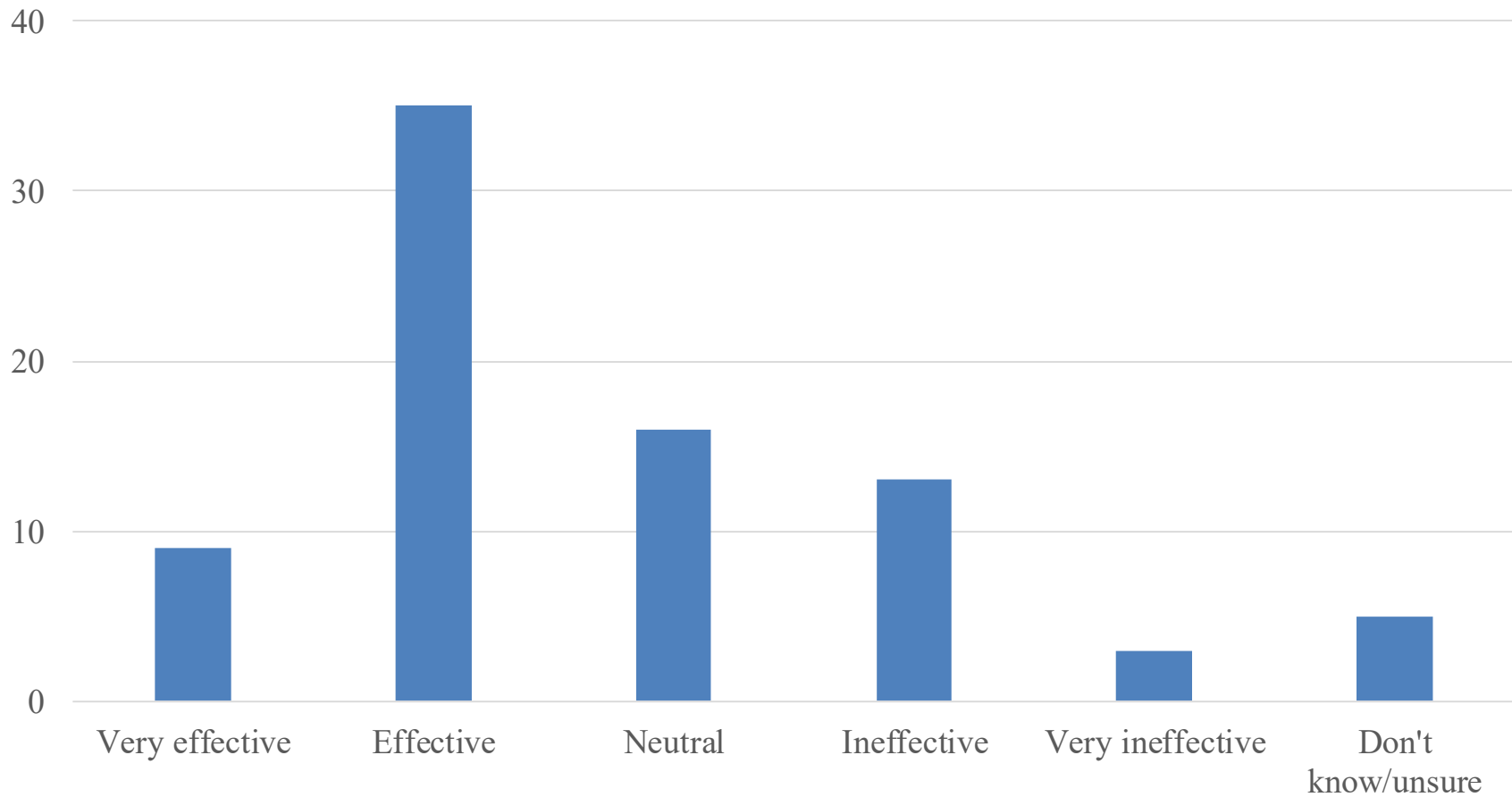
Continuity

- The NomCom has made progress in increasing the extent to which it preserves policies and procedures from year to year, however, it still "reinvents the wheel" on many process issues and exhibits a lack of continuity.

Communication with other ICANN Bodies

- There is a lack of communication between the NomCom and SO/ACs regarding the desired skills and qualities of potential candidates. In addition, the Board and SO/ACs sometimes struggle to reach consensus on what they need and do not have an effective way to communicate to the NomCom if current appointees should be re-appointed.

Recruiting Process

- NomCom's recruiting processes are generally effective, especially in recent years, but there is room for improvement. The NomCom should continue to increase the diversity of the candidate pool.

- There is a lack of understanding around the role of, and consensus regarding, the effectiveness of the professional recruitment firm OB Brussels.

Evaluation of Candidates

- The NomCom's interactions with candidates has improved significantly over the past five years and is generally viewed positively. However, several candidates expressed negative experiences regarding their interactions.

- The NomCom does not always evaluate candidates in a consistent manner.

- The role and effectiveness of the professional evaluation firm, OB Frankfurt, generates some disagreement within the ICANN community.

Transparency

- The NomCom has made significant progress in becoming more transparent, but transparency of its processes is still a concern within parts of the ICANN community.

Diversity

- Diversity requirements for NomCom appointees are currently appropriate.

- The NomCom itself is not seen as sufficiently diverse, particularly with respect to gender.
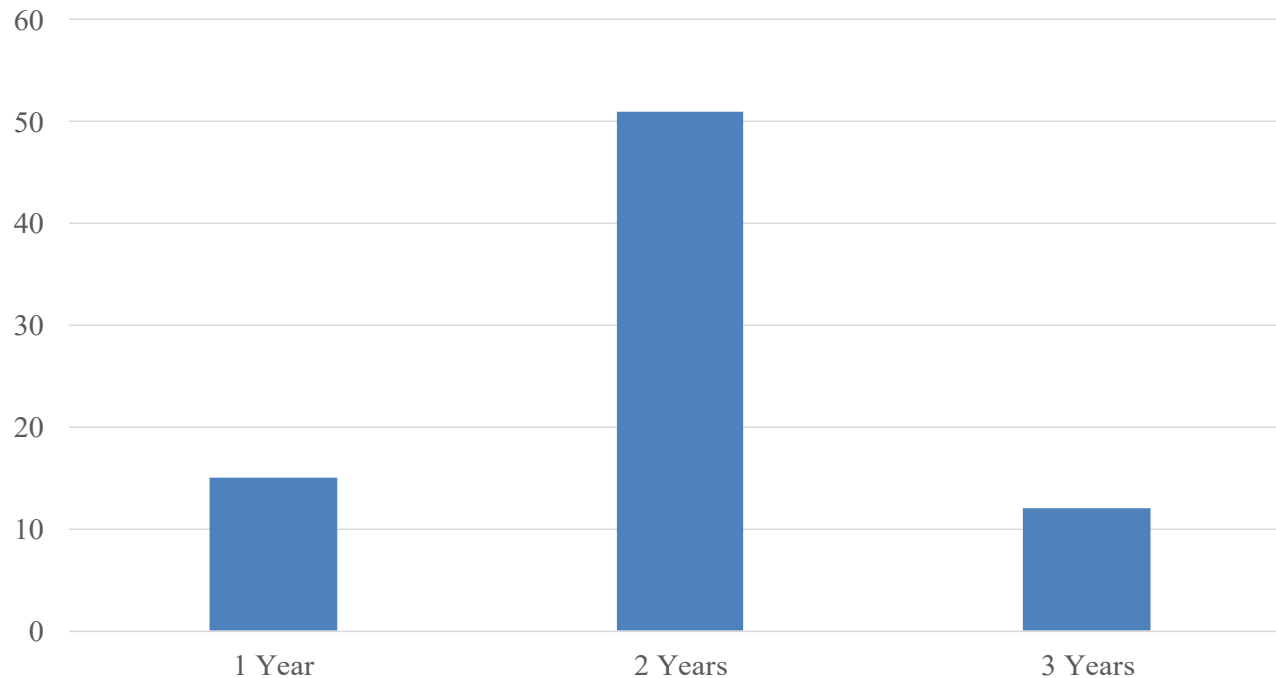
Size and Structure

- The current size of the NomCom is appropriate.

- There is concern that the NomCom may not accurately represent constituencies (both across organizations and within organizations) and over the role and participation of non-voting members.

Term Length

- The NomCom term length of one year, even if often renewed for a second year, may not allow for sufficient learning and engagement of members.

How Long should the NomCom Members' Term be?

Leadership and Staff

- The leadership structure of the NomCom generally works well, although the effectiveness of the NomCom depends heavily on the effectiveness of the Chair.

- The NomCom is highly dependent on ICANN Staff support. There is concern that the NomCom Staff is under-resourced, which has affected the functioning of the NomCom.

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- **January, 2018:** One webinar and two public consultation calls to collect public feedback on Assessment Report

- **March 19, 2018:** Draft final report (assessment + recommendations) published for public comments

  - Comment period is 40 days and closes April 30, 2018

- **June 1, 2018**: Final Report

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