

Assessment of Implementation of Recommendations Made by Prior NomCom Independent Review

2007 Interisle Independent Review [1]	Working Group [2],[3]		2018 Independent Reviewer (Analysis Group) [4]		
Recommendations from 2007 Interisle Report [1],[2]	Action Taken?	Rationale	Assessment of WG Rationale and Implementation	Rationale	Explanation
1 Create a full-time Administrative Director position	No	Disagree with recommendation	Agree		
2 Treat candidates more respectfully	Yes	Principle introduced in new procedures	Partially Agree	Independent Review recommends additional steps	Independent Review concluded that the NomCom improved greatly in the extent to which candidates are treated with respect. However, the principle alone is not sufficient. A lack of formal procedures (e.g., communication schedules) and training contributes to negative perceptions of the NomCom.
3 Recruiting Process and Metrics (most notably, establishing formal procedures for discovering requirements need by each body)	Yes	Steps taken as part of ATRT Recs 1 and 3	Partially Agree	Independent Review recommends additional steps	Independent Review concluded that steps taken by the NomCom following the ATRT Recommendations significantly improved the functioning of the NomCom and went beyond processes related to identifying needed competencies for each body to which the NomCom makes appointments. (See, e.g., Final Report of the Independent Review of the Nominating Committee, June 1, 2018, p. 42). However, many of our recommendations indicate the NomCom needs to formalize additional recruiting processes and evaluation metrics. And while a formal process for receiving input from the Board was instituted, no such processes exist for other bodies. An illustrative lesson is the NomCom appointing someone in September 2017 that conflicted with advice from a SO that had been given several years prior.
4 Separate recruitment from selection; maintain pool of candidates	No	Already implemented	Agree		
5 Seek candidates' information from many sources	Yes	Included in survey that has been launched	Agree		
6 Boost awareness of ICANN and NomCom	Yes	Implemented in 2011, in final guidelines	Partially Agree	Independent Review recommends additional steps	Independent Review concluded that effective recruitment requires written Job Descriptions and identified competencies for the positions being filled, which the NomCom currently lacks. Also, effectiveness of outreach efforts should be measured in quality of candidates (not simply the number of applications received) and the ability to find people that have needed competencies.
7 Select Directors from ICANN volunteer pool, with ALAC appointing two voting directors	No	Outside scope of review	Agree		
8 SOs select their Council Members from volunteer pool	No	Disagree with recommendation	Agree		
9 ALAC selected At-Large Committee Members	No	Disagree with recommendation	Agree		
10 Reduce the size of and/or restructure the NomCom	No	Action to be taken in 2013	Agree		Note: Independent Review found the current size and structure of the NomCom was appropriate (with the exception of rebalancing the NomCom).
11 Select NomCom members by lottery	No	Disagree with recommendation	Agree		
12 Focus NomCom on seeking independent, unaffiliated Directors	No	Disagree (partially) with recommendation	Partially Disagree	Independent Review makes a related recommendation	Independent Review generally agreed with the Working Group's response to this recommendation, but concluded that establishing a level of independence for 3 Directors would assist the NomCom in finding directors that think strategically and bring an outside perspective. [Note: The Working Group Report classified this recommendation as one that took action, noting "Formal dual-path prohibition discussed, on preference agreed by NomCom, in new procedures." The outcome of this process allowed candidates to remain in consideration for more than one position. No action, however, was taken on the core recommendation to appoint Independent Directors.]
13 Appoint Chair one year in advance as non-voting member	Yes	NomCom Bylaws changed for 2012 NomCom	Agree		Independent Review found the leadership structure that came out of this process to be working well.
14 Balance confidentiality and transparency; maintain core confidentiality but eliminate secrecy elsewhere	Yes	Steps taken in 2011; clarification of procedures per ATRT Rec 1	Partially Agree	Independent Review recommends additional steps	Independent Review found that core elements of this recommendation were implemented (see, e.g., explanation regarding Recommendation 3, above), but concluded that a lack of formalized processes undermined the goal of transparency. It also recommended collecting and publishing additional statistics on the candidate pool, such as the source of candidates that made the short list.
15 Establish criteria and a mechanism to remove non-performing NomCom members	Yes	Introduced in NomCom procedures in 2011	Agree		
16 Design and document NomCom key processes	Yes	Partially supports documenting "a small set of core values and procedures," but the NomCom should be left to adapt working practices	Partially Disagree	Independent Review recommends many additional steps	Independent Review found that the NomCom took a number of steps (in the right direction) to improve documentation of procedures since 2011, which are reflected in Codes of Conduct, Guidelines, and Operating Procedures. However, it concluded that these efforts had not gone far enough, noting that the advantages of further documentation and codification outweigh concerns about not letting each NomCom alter procedures or "reset" each year. A particularly important advantage of further documentation is increased transparency and a reduction in the power of NomCom leadership to shape procedures year-to-year without input or review by the NomCom community.
17 Audit yearly NomCom effectiveness, and publish results	Yes	Surveys developed and launched. Annually recurrent process. No need for an "audit"	Agree		The annual reports published by the NomCom increase transparency and are an important mechanisms for improving the functioning of the NomCom each year.

Notes & Sources:

[1] Independent Review of the ICANN Nominating Committee, Report to the Internet Corporation for Assigned Names and Number, Prepared by Interisle Consulting Group, LLC, October 23, 2007, available at <https://www.icann.org/en/system/files/files/report-23oct07-en.pdf>.

[2] For recs and Working Group responses, see Review of the ICANN Nominating Committee Final Report of the NomCom Review Finalization Working Group, January 29, 2010, available at <https://www.icann.org/en/system/files/files/nomcom-review-finalization-wg-final-report-29jan10-en.pdf>

[3] For Implementation Plan, see Nominating Committee Improvements Implementation Project Plan, March 1, 2012, available at <https://www.icann.org/en/system/files/files/nomcom-improvements-implementation-plan-01mar12-en.pdf>.

[4] For Review, see Independent Review of the ICANN Nominating Committee: Final Report, Prepared by Professor William Brown, Dr. Mark Engle, and Dr. Greg Rafert, June 5, 2018, available at <https://www.icann.org/en/system/files/files/nomcom-review-final-05jun18-en.pdf>.