

26 February 2021

Response to OEC Letter from 9 December 2020

Dear Avri:

In response to your letter from 9 December 2020, I am pleased to provide the OEC with additional details and clarification on the ccNSO assessment and actions on the results of the second organizational review of the ccNSO. As the ccNSO has been working on implementation of the recommendations from the Independent reviewer since the last time we informed the OEC, we will refer to the status of the recommendations to date (February 2021).

This response is structured as follows:

- Section 1: list of those recommendations, which have already been fully implemented, and include a reference to the implementation where possible.
- Section 2: list of those recommendations, which are in process of implementation; where feasible, we will provide a reference to the results to date and the date of expected completion.
- Section 3: show those recommendations which in our view should not be implemented in the manner as proposed, but where the ccNSO concurs with the findings and issues as identified by the Independent Reviewer.
- Section 4: discussion of the two recommendations which in our view are directed at ICANN.
- Section 5: explanation of why implementation of one specific recommendation should be deferred to the next ccNSO review, if implemented at all.

I hope this summary gives the Organizational Effectiveness Committee enough information to understand the reasoning on how decisions were made and the current state of the implementation of the recommendations from the independent reviewer.

If you have any specific questions, please don't hesitate to reach out to us.

On behalf of the ccNSO Council,



Katrina Sataki, Chair

1. Recommendations, which have been fully implemented

- **Recommendation 1: Communication material on vision and goal of the ccNSO.**
The vision and goal of the ccNSO was updated during a ccNSO Council workshop in June 2020. The outcome is included in:
 - The material we use for on-boarding in the ccNSO (<https://community.icann.org/pages/viewpage.action?pageId=66085237>), and other related presentations and documentation, where we explain the purpose and value of the ccNSO to the broader community.

The results of the Council workshop are documented in the ccNSO strategy (<https://community.icann.org/display/ccNSOCWS/20+August+2020+18%3A00+UTC?preview=/143458575/144377383/Results%20Council%20Workshops%20ICANN66%20and%2068%20version%202.pdf>)

Therefore, this recommendation has been fully implemented and no further action is required.

- **Recommendation 4: Amendment of Bylaw on composition of IFRT**
In November 2019, section 18.7 of the ICANN Bylaws was amended to change the composition of future IFRTs as was suggested by the independent Reviewer and requested before by the ccNSO. As a result of this amendment, this recommendation has been fully implemented and no further action is required.
- **Recommendation 6: The ccNSO Meeting Program Committee (MPC) to adopt and adjust meeting format to increase participation.**
Since its creation, the MPC has been continuously adopting and adjusting the meeting formats to increase participation. The latest examples are the ccNSO sessions during ICANN 68 and 69 (see: <https://community.icann.org/display/ccnsowkspc/ccNSO+Members+Meeting+%7C+ICANN68> and <https://community.icann.org/display/ccnsowkspc/ccNSO+Members+Meeting+%7C+ICANN69>).

These improvements are based on post-meeting surveys of the ccTLD community to seek their suggestions for improvements and input for future meetings. The MPC has developed the practice to respond to the community on the results and discuss them extensively. See various announcements on the ccNSO Website (<https://ccnso.icann.org/en/news/announcements>) and the recent ccTLD consultation regarding ICANN 70 meeting strategy (<https://community.icann.org/display/ccnsowkspc/ccNSO+Webinars>)

Therefore, this recommendation has been fully implemented and no further action is required.

- **Recommendation 9: Streamline Mentor /mentee program.**
The ccNSO Council established a mentor/mentee program in December 2018, during the time the review was conducted (see:

<https://ccnso.icann.org/en/about/cop-selection>). The work of this group has been recently reviewed, and the ccNSO Council decided, based on the results of the review, to include the activities of this group in the Outreach and Involvement Standing Committee, which is being established at present. Until this new Committee is effectively taking over the activities of the Community Onboarding Programme selection committee (COP), the COP will remain in place. We note, however, that the activities of COP and mentor/mentee were envisioned for an in-person environment.

Therefore, this recommendation has been fully implemented and no further action is required.

- **Recommendation 10: Central space for newcomers material**

On the ccNSO website a special area has been created where newcomers can find all relevant material. The material itself can be found at:

<https://community.icann.org/pages/viewpage.action?pageId=66085237>

Therefore, this recommendation has been fully implemented and no further action is required.

- **Recommendation 12: Renaming and filenames etc. Guidelines and other documents to ensure retrievability**

Since the isolated incident noted by the reviewers, the naming of Guidelines and other documents adopted by the Council has been updated and implemented. Posting is ensured too (see, for example, the Guideline webpage on the ccNSO Webpage: <https://ccnso.icann.org/en/about/guidelines.htm>) and the Council wikispace:

<https://community.icann.org/display/ccNSOCWS/17+December+2020+%7C+18%3A00+UTC>).

However, we note that transparency and seamless posting and retrieval is seriously limited due to the website design, and, more importantly, having to use two platforms (website and wiki space) to manage publication and retrieving of documents. To ensure timely publication and retrievability, we welcome any work to speed up the launch of the revamped ccNSO website (see recommendation 11)

Therefore, this recommendation will be implemented and no further action required at the time the revamped ccNSO website is published.

- **Recommendation 13: Adherence to practice of publishing Council agenda week ahead of the meeting**

We note that in the past the agenda may not have been published in time or was not retrievable as such. However, since 2018, the draft has been circulated to the Council in time and published on the ccNSO webpage in a timely manner (see <https://ccnso.icann.org/en/news/announcements?year=2021>).

Therefore, this recommendation has been fully implemented and no further action is required.

2. Recommendations in process to be implemented

- **Recommendation 3: Update Nomination process chair and vice-chair by WG/committee, include standard procedure in Guideline and apply to Future charters**

The ccNSO Guideline Review Committee has prepared draft procedures, which will detail the procedures for nomination and selection of the (Vice-) Chair of Working groups or Committees. This draft will be first reviewed by the ccNSO Council and afterwards reviewed by the ccNSO members. Afterwards, the procedures will be up for adoption by the ccNSO Council (expected at or around the 17 February 2021 Council meeting), and then will be annexed to the relevant Guidelines (Guideline ccNSO Working Groups and Guideline: ccNSO Collaboration Groups, see: <https://ccnso.icann.org/en/about/guidelines.htm>).

Upon adoption of the procedures and publication of the amended relevant Guidelines, no further action is required.

- **Recommendation 8: The ccNSO should request translation of introduction to ccNSO on ICANN Learn portal**

The ccNSO Council will send a letter to ICANN Org by its February 2021 meeting to seek translation of the ICANN learn course: “Introduction to the ccNSO” on the ICANN Learn portal. We note, however, that the translation of the document itself is not within the remit of the ccNSO.

Implementation of the recommendation will start by 1 February and is expected to be completed by 17 February 2021. However, translation itself and uploading to the ICANN Learn portal is first and foremost within the remit of ICANN’s responsibilities. The ccNSO is not in a position to provide any estimate of completion date, nor of budgetary and resource implications of translating the specific ICANN Learn course.

3. Recommendations with suggestion for alternative approach

- **Recommendation 2A: Running roster of potential volunteers.**

It is our understanding that this recommendation seeks to expand the group of volunteers who want to participate in the work of the ccNSO. We concur with the Independent Reviewer on the need to engage more and new people. We also appreciate that a running roster may be helpful. At the same time, we foresee key issues in maintaining such a roster. Previous experiences with a comparable attempt have proven that such a roster might be out of date very quickly, as well as difficult to maintain (see: <https://ccnso.icann.org/en/about/expertise.htm>)

Since January 2020, the ccNSO has developed a targeted approach to seek members for working groups, committees, as well as other bodies. The targeted approach consists of announcements on the ccNSO website, email invitations and outreach events such as webinars. The webinars are recorded and together with their accompanying slides made publicly available (see: <https://community.icann.org/display/ccnsowkspc/ccNSO+Webinars>). Following

any webinar, the call for volunteers includes a reference to the webinar and presentation slides, if any (see for example: <https://ccnso.icann.org/en/announcements/announcement-20jan20-en.htm>).

It is our view and experience that as a result of this approach, the threshold for participation is lowered. As a matter of fact, thanks to this approach we have noticed additional volunteers and the engagement of people who have not participated before. We have also received confirmation that by providing the information before the call for volunteers, potential participants could make a more informed decision whether or not to participate in the working group or committee.

As stated, since January 2020, it has become standard practice that prior to calls for volunteers the ccNSO uses every means available to inform the community about the engagement opportunity in a new or existing working group or committee. To date this approach has proven to be very successful in attracting newcomers and people with the right skill set and experience.

In the context of implementation of this recommendation from the 2nd ccNSO Organizational Review no further action is required.

- **Recommendation 2 B: 1/3 quota newcomers in WG and committees**

It is our understanding that this recommendation also seeks to expand the batch of new volunteers who may like to participate in the work of the ccNSO. We concur with the Independent Reviewer about the need to engage more (new) people. However, we respectfully but firmly disagree with the recommended approach for the following reasons:

- All current and future ccNSO working groups and committees are and will be open to all ccTLDs. In addition, the number of members is in principle not defined, i.e. groups can have unlimited number of members. Keeping these principles in mind, we do not understand what is meant by a 1/3 quota for newcomers. Does it imply that the number of newcomers sets the total number of working group members? For example, if only 3 newcomers apply, should only 6 more experienced members be allowed to participate? Or, if 10 experienced members apply, the group cannot start its work unless we find 5 newcomers? Why would the ccNSO even consider the introduction of such an artificial limit to the size or operation of our working groups?
- Secondly, the recommendation does not take into account that the vast majority of ccTLD Managers are relatively small organisations. If they participate actively at all, these ccTLDs can only afford that one staff member spends a limited amount of time on ICANN and ccNSO related matters (anecdotal evidence suggests 4-6 hours per week on average, including participation at ICANN events, and both on ICANN and ccNSO related matters). Introducing a quota could put the diversity of the ccNSO at risk by disallowing smaller ccTLD Managers to participate in working groups because they are “old hands”.

- Finally, and related to the previous point, the vast majority of volunteers in ccNSO environment are employed by ccTLD Managers, and it is part of their job to follow what is going on in ICANN in general and the ccNSO specifically. If considered of a value to the ccTLD Manager, these “volunteers” may participate actively. Setting a quota for newcomers effectively puts the burden on ccTLD Managers. If there is a topic of interest to them, they may need to appoint someone (else) from their organisation that meets the “newcomer” requirement.

As said, we concur with the need to attract new participants, but we believe that lowering any threshold and emphasizing the value of participation works better than introducing artificial quota. The approach alluded to before with respect to Recommendation 2 A, has shown to work as well to attract newcomers.

The issue as identified has been addressed. Monitoring and adjustment of the involvement activities are at the core of the newly to be created ccNSO Outreach & Involvement Standing Committee (OISC is expected to be operational by April 2021). No further action to implement this recommendation from the 2nd Organizational Review is required.

- **Recommendation 5: Limitation of terms for Councillors.**

The ccNSO concurs with the Independent Reviewers that from a good governance perspective ccNSO Councillors need to be replaced and limit the number of terms they sit on the Council.

Following the publication of the Final Report of the 2nd Organizational Review, the ccNSO Council conducted an analysis of the terms Councillors served on the Council (which was not included in the Report, but would have provided undisputable data). This analysis confirmed the need to revisit the terms of Councillors and need for limiting the terms of Councillors.

However, as noted in the FAIPP, we do have reservations about the proposed method – introducing term limits in the Bylaws – to address the issue.

Our main concerns are:

- The need to differentiate between regions (as suggested by the Independent Reviewer).
- ccTLD Managers do need to allow their employees to spend time to do Council work. The pool of qualified people willing to take on this role is limited and we believe introducing a term limit may avertedly affect the function of the ccNSO Council (forced replacement of a person, ccNSO members trust).

To address the issue identified, the ccNSO Council took the following steps: in conjunction, but prior to the call for nominations for Councillors, the ccNSO conducted two specific and targeted webinars to inform the ccNSO membership about the role and expectation of Council membership, including a Q & A with current Councillors (see: <https://community.icann.org/display/ccnsowkspc/ccNSO+Webinars>). As a result, each of the regions selected new Councillors. They will start their mandate after the ICANN70 meeting. In one of the regions, elections were necessary to appoint

the Councillor (see 2021 Council Elections Report:

<https://ccnso.icann.org/sites/default/files/field-attached/election-report-02dec20-en.pdf>)

In addition, and to ensure future replacement, the issue of limiting Council terms and how to warrant this, was discussed with the ccNSO Membership at the ICANN69 session on Governance of the ccNSO. Following this discussion, the ccNSO Guidelines Review Committee is looking into alternative ways to express the expectation of limited terms (for example, inclusion in Guidelines or Internal Rules of expected term limits). During ICANN70 there will be a follow-up session, which will include a discussion of the internal rules of the ccNSO.

It is our view that ultimately the membership itself is responsible for good governance of the ccNSO and the mechanisms to limit terms should reinforce that responsibility of the membership. The expectation is that by ICANN72 the necessary changes of the Guidelines and Rules will have been adopted and published. In addition, the next call for nominations for Councillors, which is expected in August/September 2021 time frame, will again be preceded by similar alerts and webinars as the 2020 call for nominations.

In the context of implementation of this recommendation from the 2nd Organizational Review no further action is required.

4. Recommendations directed at ICANN Org for the benefit of the ccNSO

- **Recommendation 7: Real Time Scribing**

Real Time Scribing is a service that is provided by ICANN to communities during ICANN meetings, whether they are in person or virtual. The ccNSO supports the recommendation of real time transcription of its sessions, especially in light of the cultural and linguistic diversity of the ccTLD community. To date real time scribing has at times been available for meetings between the Board and the ccNSO community. Although the ccNSO through its Council and staff have at times requested ICANN to provide real time scribing, it has not been provided. However, it is our understanding that at the upcoming ICANN70 meeting (and possibly afterwards) automated RTT will be made available.

In our opinion, providing this service is fully and completely within ICANN's remit. Hence, we believe that this recommendation is not directed at the ccNSO, but at ICANN.

As the ccNSO has no role in providing this service, we are not in a position to provide any budgetary or resource implication for providing real time scribing, whether automated or through live-scribing.

- **Recommendation 11: Update and improve ccNSO Website**

We have been informed that updating the ccNSO website has become part of ICANN's ITI initiative as one of its (sub-) projects. The ITI initiative is fully under the

auspices of ICANN. Recently, the ccNSO has been informed by ICANN about the next steps and possible start date of the project. In the next months the start date of the project, scope and impact, as well as expected contributions from the ccNSO (Councillors and/or representatives from the ccTLD community) will be shared by ICANN Org.

As the ccNSO has no role to date in the project management, nor has been informed about the details of the specific project, we are neither able nor in a position to provide any further detail or budgetary and resource implications.

5. Recommendation awaiting next/future steps

- **Recommendation 14: Subscribe future reviewers to the relevant email list.** According to the recommendation, future reviewers should be subscribed to relevant email lists, to allow those future reviewers to access communications with and among the membership. As stated in the FAIPP, the ccNSO in principle accepted the recommendation; however, implementation will depend upon 1.) the use that will be made of access to the list and 2.) Appointment of the future independent reviewer, if any. With respect to the first point, we note that, for example, the purpose of the ccTLD world email list may not allow such a use (<https://ccnso.icann.org/sites/default/files/field-attached/cctld-world-list-procedural-doc-14feb19-en.pdf>).

With respect to the second point, we note this recommendation pertains to the future, 3rd, organizational review of the ccNSO. In our view this recommendation preempts on how the future reviewer intends to conduct its business.