

NomCom Review Implementation Working Group Status Update - Progress Report #3 25 August 2021

Executive Summary

This is the third six-month progress and implementation status report of the NomCom Review Implementation Working Group (NomComRIWG) that is overseeing the implementation of the 27 recommendations of the second Nominating Committee Review (NomCom2). The NomComRIWG met **19** times during this period (1 January 2021 – 30 July 2021).¹

There are several main areas of activity that we would like to highlight in this status report. These are:

1. NomComRIWG ICANN70 [webinar](#)
2. [Summary](#) of Community Consultation & Feedback on Recommendation 10 (Rebalancing of the NomCom)
3. A revised proposal for the NomCom Standing Committee Charter (Recommendation 24)
4. Progress on other recommendations
5. Outreach efforts to enhance NomComRIWG participation

NomComRIWG ICANN70 Webinar

During ICANN70 Prep Week, the NomComRIWG hosted a [webinar](#) to provide updates on implementation progress including proposed Bylaws changes, the proposed Standing Committee Charter, and NomCom Process Maps.

Summary of Community Consultation & Feedback on Recommendation 10 (Rebalancing)

In April 2021, the NomComRIWG met with the Organizational Effectiveness Committee (OEC) to discuss its implementation progress. Based upon that discussion, the NomComRIWG developed a [summary](#) of Community Consultation and Feedback on its proposal for Rebalancing the NomCom (Recommendation 10). This summary presents the changes to implementation steps for Recommendation 10 over the course of the NomComRIWG's work followed by a comprehensive chronology of community engagement and feedback on the NomComRIWG's proposal for rebalancing the NomCom.

Based upon its work and the summary of Community Consultation and Feedback for Recommendation 10, the NomComRIWG concluded that there is sufficient support and understanding for its rebalancing proposal within the community while noting limited opposition. This summary was shared with the Organizational Effectiveness Committee (OEC) in July, as a follow-up to the NomComRIWG's joint meeting with them in April. The OEC discussed this topic at their meeting on 20 July.

¹ This third report of the NomComRIWG covers a slightly longer time period of seven months to reflect the results of implementation work this period.

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The OEC recognized the extensive work by the NomComRIWG and the importance of these topics to many parts of the ICANN community. The OEC proposed that the Board via the OEC engage with the SO/AC leadership in informal conversations on areas of RIWG's work that will require Bylaws changes and will have far reaching governance implications. The expectation is that constructive dialogue would pave the way for the NomComRIWG proposals to be further socialized and advanced, considering their importance and impact.

This informal engagement by the Board would occur before any formal steps are taken on modifying the Bylaws (which will include public comment).

Revisions to proposed Standing Committee Charter

Recommendation 24 from the NomCom2 review calls for the formation of a NomCom Standing Committee. Implementing this recommendation is related to benefits anticipated from many of the other NomCom's Review recommendations.

The NomComRIWG has drafted revisions to the Charter for the Standing Committee in collaboration with ICANN org. The revisions further describe its purpose, scope, and responsibilities vis-à-vis the NomCom and other ICANN bodies.

Progress on other recommendations

During this reporting period, the NomComRIWG has made progress on a number of other recommendations, as noted in the detailed portion of this report. This included productive discussions with the members of OEC which are expected to pave the way for the NomComRIWG proposals that require Bylaw amendments. The OEC has suggested that these be further socialized and advanced, considering their importance and impact. Also, the NomComRIWG initiated a dialogue with the ICANN CEO on several topics (NomCom staffing support; staff reporting lines, and NomCom inputs to ICANN budget and planning). A meeting with the CEO is scheduled in August to facilitate further progress toward completion of implementation work on several recommendations. Finally, the NomComRIWG has engaged with ICANN Legal in connection with the recommendation to clarify the definition of the term "unaffiliated directors" ICANN Legal is conducting the needed research and analysis in order to provide the NomComRIWG with information to inform their implementation plans.

Outreach Efforts to Enhance NomComRIWG Participation

The NomComRIWG has been working consistently since 17 April 2019. Over time, the participation in the working group has dwindled. Considering the significance of current NomComRIWG in relation to broader ICANN governance, the NomComRIWG leadership issued a joint [blog post](#) to update the community on its current work. The NomComRIWG Chair also reached out to the IPC and BC SO's to encourage more participation, resulting in a new volunteer joining from the IPC. The co-chairs also sent a message to the NomComRIWG mailing list requesting all participants to confirm their continued engagement.

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These actions prompted a number of NomComRIWG participants to recommit to the work. In its outreach efforts, the NomComRIWG indicated it hopes to complete its implementation work via by-monthly calls by the end of 2021.

Summary of Proposed Bylaws Changes

The RIWG identified five recommendations that require changes to the ICANN Bylaws. For efficiency, we have grouped these together so that the OEC can follow a single process for the entire group. All of the proposed changes are limited to Article 8: Nominating Committee of the ICANN Bylaws, along with a transition article. The proposed changes to the ICANN Bylaws are related to the following recommendations:

- Unaffiliated Board Directors (recommendation 27)
- All voting members (recommendation 9)
- Rebalancing (recommendation 10)
- Two-year terms (recommendation 7)
- Standing Committee (recommendation 24)

The OEC confirmed at their meeting on 20 July 2021 that all proposed Bylaw amendments coming out of the NomComRIWG work will be packaged together, to make it easier for the community to understand the full scope of the proposals.