DIVERSITY STRAWMAN – V2

BACKGROUND

In Recommendation #12 of the CCWG-Accountability Work Stream 1 report, the group assesses diversity based requirements from ICANN governance documents (Bylaws, AOC, ATRT1, ATRT2, documents from each of ICANN's SOs and ACs).

The following is excerpted directly from the CCWG-Accountability Work Stream 1 report:
Comments received on the Second Draft Proposal revealed that incorporating the diversity component into Accountability and Transparency Reviews may overburden Review Teams. Therefore, the CCWG-Accountability recommends the following actions with the view to further enhancing ICANN's effectiveness in promoting diversity:

- *Including diversity as an important element for the creation of any new structure, such as the Independent Review Process (IRP) – for diversity requirements for the panel – and the ICANN Community Forum.*
- *Adding Accountability, Transparency, and Diversity reviews of SOs and ACs to structural reviews as part of Work Stream 2.*
- *Performing, as part of Work Stream 2, a more detailed review to establish a full inventory of the existing mechanisms related to diversity for each and every ICANN group (including Stakeholder Groups, Constituencies, Regional At-Large Organizations, the Fellowship program, and other ICANN outreach programs). After an initial review of the current documents, it became clear that they do not address the full concerns raised by the wider community on the issue of diversity.*
- *Identifying the possible structures that could follow, promote and support the strengthening of diversity within ICANN.*
- *Carrying out a detailed working plan on enhancing ICANN diversity as part of Work Stream 2.*
- *Strengthening 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.*

DISCUSSIONS SUMMARY TO DATE:

WS2- Diversity started by attempting to answer the following questions:
1. What do we mean by diversity in ICANN?
2. What are the elements of diversity important to ICANN?
3. What existing mechanism does ICANN have in place to support diversity?
4. How can ICANN measure the important elements of diversity?
5. What experiences of enhancing diversity can we learn from?

The rapporteurs provided the first version of the strawman with the questions above for discussion. There has been 5 week of discussions and the feedback that follows forms the consolidated output of the discussions before and during the Hyderabad meeting.

Feedback from discussion questions:

1. **What do we mean by diversity in ICANN?**
Diversity within ICANN refers to ICANN's ability to facilitate and create an inclusive environment in various aspects of stakeholder representation and engagement throughout all levels of the staff, community and board.

2. **What are the elements of diversity important to ICANN?**
An unordered list of elements of diversity that have been identified during the discussions as important are:

2.1 Geographical representation: Ensures that there is a balanced geographical representation throughout the organization. While already applied to the selection of ICANN board members, discussions have indicated that this criterion should be extended to all levels within ICANN.

2.2 Language: All languages should be represented in ICANN as much as possible if the organization is to position itself as a global multi-stakeholder entity. There is a need for a better balance between all languages, including the seven official languages at ICANN – English, Arabic, Chinese, Spanish, Portuguese, French and Russian. With ICANN managing the IANA functions that offers IDN services to entities who do not use any of the 7 official languages it is important that ICANN improves on way of communicating to this group of stakeholders.

2.3 Gender: Gender equality should be sought for at all levels of ICANN. Currently, within ICANN gender is considered as either male or female. There is feedback from a minority representation to consider persons who are trans, genderfluid or gender non-conforming.

2.4 Age: Refers to variations that facilitate inclusion of wide range of age groups across ICANN from Millennial through to the next generation.

2.5 Physical Ability: Implies the ability of physically challenged persons at various levels to participate within ICANN activities.

2.6 Stakeholder group: Diversity of stakeholder group participation in ICANN is important in meeting the multi-stakeholder goals of ICANN. From ensuing discussions this implies that the views, opinions or perspectives of different stakeholder groups can be presented/shared. This may or may not require a designated representative of a stakeholder group to participate in the various activities. However, attention needs to be paid to the process of choice to avoid situations where none of the declared stakeholder groups is represented, except those whose interests are heavily lobbied; to ensure voices of minorities and underrepresented groups do not remain unheard.

3. **How can ICANN measure the important elements of diversity?**
In measuring diversity, not only a static approach or head-count should be followed, but also a dynamic aspect should be considered. There are elements of diversity that are important and difficult to measure by head count but important to observe and make notes. For example to determine active diverse participation will require a

combination of quantitative (statistics) and qualitative (the quality of engagement that is whether they take the floor, make contributions, participate in email exchanges). From the discussions the following measure of diversity have been identified:

3.1 Geographical representation: This is being applied to the selection of ICANN board members appointed through the Nom Com. The data shared by AFNIC and Dalila indicated the need for the statistics to be [reliable and based on both a regional analysis and country-by-country analysis. The geographic diversity being considered in two forms: the region of residence and the region of birth. It will be good that SO/AC also put such diverse geographic representation into consideration in her various leadership selections/elections

3.2 Language: Statistics on ICANN stakeholders, staff and board ability to communicate in the seven official languages at ICANN and others need to be reviewed periodically. Also attention should be given to the issue of translated printed materials.

3.3 Gender: Currently, women represent only 26% of ICANN community leaders and 53% of ICANN staff. It may be necessary to consider participation at the various levels as well with the option of individuals identifying themselves as male, female or other as may be agreed upon.

3.4 Age: Data on the age range of ICANN participants, staff and Community leaders can be collected and documented.

3.5 Physical Ability: Data on the number of requests to ICANN staff to respond to various challenges experienced by participants who are not able-bodied can be gathered.

3.6 Stakeholder group: The measure of the stakeholder group diversity is yet to be clearly defined. With individuals within ICANN represent more than one stakeholder group a suitable matrix that allows for various combinations of stakeholder groups may need to be identified. There is also the question of gaps within stakeholder groups of entities that are not yet represented.

3.7 Data Collection: The data to be collected should be considered from:
1. Formal positions (such as subgroup rapporteurs in CCWGs and in PDP WGs) under our scrutiny.
2. Leadership positions in SO/AC/SG/C
3. Participation in PDP
4. Working group, review teams, compositions
5. Participation in ICANN Meetings in situ and remotely

Any data driven analysis of diversity within ICANN will need to rely on a reliable and stable data collection framework. It should be determined whether this collection is based on:
i. Self-declaration
ii. Research
iii. A combination of both

This also requires maintenance to perform relevant updates in positions, individuals changing roles or companies, etc. Data submitted by community leaders should also be substantiated by automated counting mechanisms, ensuring community accountability in data collection.

4. **What existing mechanism does ICANN have in place to support diversity?**
Overall, the concern expressed in the public comments of WS1 by some was 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, expressed their view that diversity requirement should not prevail over skills or experience requirements.

A previous work party on diversity in WS1 had reviewed the status of diversity within ICANN groups and directly quoted from their report is the following:

"An initial review of existing ICANN documentation shows that there are provisions regarding regional diversity for some ICANN groups.

ATRT

Different reference to diversity but 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. »

New Bylaws provision:
"(ii) Seeking and supporting broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet at all levels of policy development and decision-making to ensure that the bottom-up, multistakeholder policy development process is used to ascertain the global public interest and that those processes are accountable and transparent;"

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 <u>Section 4 of this Article</u>, make selections guided by Core Value 4 in <u>Article I, Section 2</u>."

ccNSO Council
"The ccNSO Council shall consist of (a) three ccNSO Council members selected by the ccNSO members within each of <u>ICANN's Geographic Regions</u> in the manner described in <u>Section 4(7) through (9) of this Article</u>;"

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 region."
"The ASO Address Council shall consist of the members of the NRO Number Council."

gNSO Council
Regarding the GNSO the "only" diversity dimension is at the level of the Stakeholder Group that selects the council members.

GAC
No reference

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 <u>4(g) of this Section</u>, 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 <u>Section 5 of Article VI</u>."

ICANN Staff
No reference."

Having reviewed and inventoried the existing mechanisms related to Board/ NomCom/ SO/AC diversity, while some diversity arrangements exist within ICANN documents, diversity does not appear as one of the areas where ICANN continuously strives to improve.

5. **What experiences of enhancing diversity can we learn from?**

a. [Shared some observations above based upon Afnic's experience :](https://www.afnic.fr/en/about-afnic/news/general-news/9961/show/afnic-reveals-figures-on-diversity-within-icann-1.html)
https://www.afnic.fr/en/about-afnic/news/general-news/9961/show/afnic-reveals-figures-on-diversity-within-icann-1.html

b. http://www.womenonboard.be/sites/default/files/EWoB-qualitative-WEB-3%5B4%5D-July%202016.pdf

c. http://ec.europa.eu/justice/discrimination/diversity/charters/index_en.htm

d. http://ec.europa.eu/justice/discrimination/document/index_en.htm#Business_Case_Diversity

e. [Best Practices forum on Gender and Access - IGF2016 - http://www.intgovforum.org/multilingual/index.php?q=filedepot_download/3406/195](http://www.intgovforum.org/multilingual/index.php?q=filedepot_download/3406/195)

f. [Dynamic Coalition on Gender and Internet Governance Documents - IGF2016](http://www.intgovforum.org/cms/dynamiccoalitions/77-gender-and-ig#documents)
http://www.intgovforum.org/cms/dynamiccoalitions/77-gender-and-ig#documents

Reference:
1. Link to WS1 Diversity group
https://community.icann.org/display/acctcrosscomm/Diversity
2. Staff background paper
https://docs.google.com/document/d/1JatGDDEJdNrJb08OAH8at5ZaH7fUbBDNqc9EDxfXT0w/edit?usp=sharing
3. Previous strawman
https://docs.google.com/document/d/12Jruoh25BwYSGe2jadKsm4WvS3GThVDpA0CRkSxbhiI/edit