Nominating Committee (NomCom) Rebalancing

Background and ICANN Correspondence

GNSO Council Meeting, 25 May 2023

Current composition of the NomCom
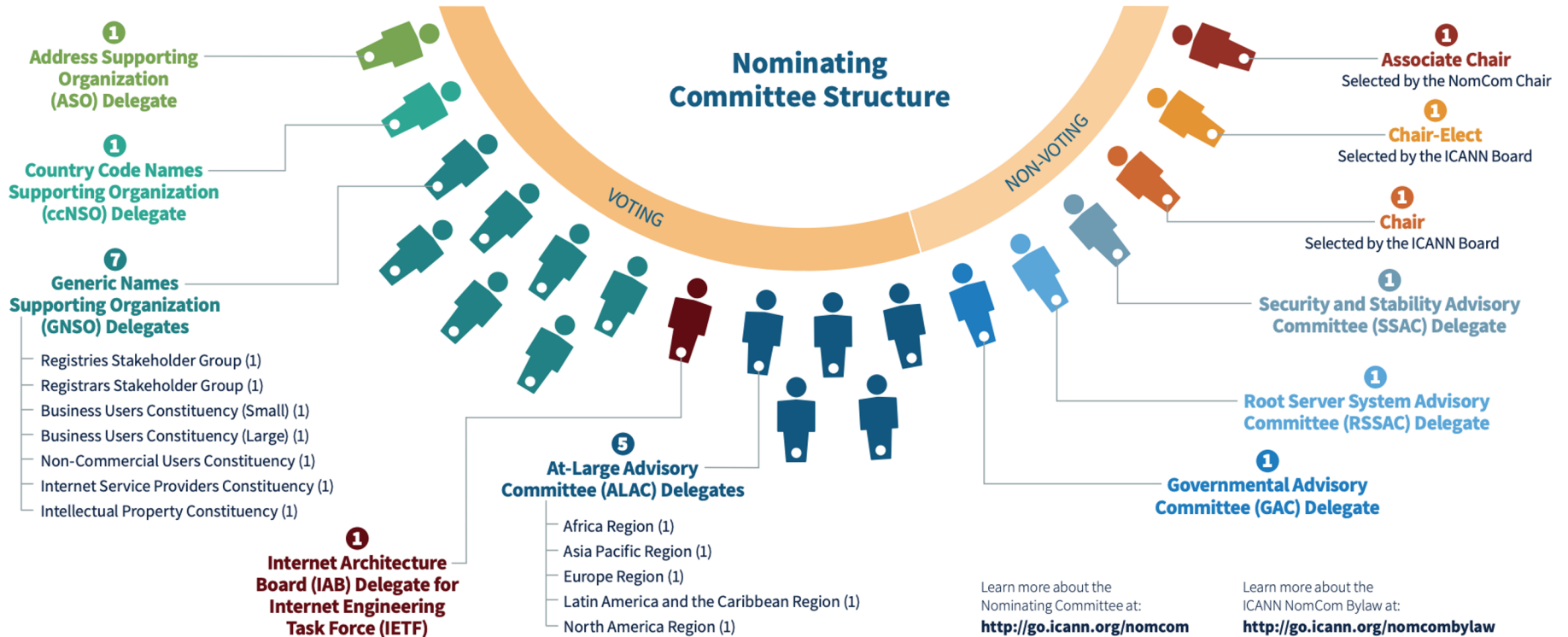
GETTING TO KNOW THE NOMINATING COMMITTEE

ICANN

What does the Nominating Committee do?

The Nominating Committee (NomCom) is responsible for appointing a number of seats to the ICANN Board of Directors, the Public Technical Identifiers (PTI) Board, the At-Large Advisory Committee (ALAC), and the Councils of the Country Code Names Supporting Organization (ccNSO) and the Generic Names Supporting Organization (GNSO). NomCom delegates act only on behalf of the interests of the global Internet community and within the scope of the ICANN mission and responsibilities assigned to the NomCom by the ICANN Bylaws; they do not act in furtherance of the group that appointed them to the NomCom.

How does the Nominating Committee operate?

The NomCom consists of 15 voting delegates along with a number of non-voting leaders, advisors, and delegates. Voting delegates serve one-year terms and can serve no more than two successive terms, after which two years must elapse before they are eligible to serve again.

Nominating Committee Structure

VOTING

NON-VOTING

1 Address Supporting Organization (ASO) Delegate

1 Country Code Names Supporting Organization (ccNSO) Delegate

7 Generic Names Supporting Organization (GNSO) Delegates
- Registries Stakeholder Group (1)
- Registrars Stakeholder Group (1)
- Business Users Constituency (Small) (1)
- Business Users Constituency (Large) (1)
- Non-Commercial Users Constituency (1)
- Internet Service Providers Constituency (1)
- Intellectual Property Constituency (1)

1 Internet Architecture Board (IAB) Delegate for Internet Engineering Task Force (IETF)

5 At-Large Advisory Committee (ALAC) Delegates
- Africa Region (1)
- Asia Pacific Region (1)
- Europe Region (1)
- Latin America and the Caribbean Region (1)
- North America Region (1)

1 Associate Chair
Selected by the NomCom Chair

1 Chair-Elect
Selected by the ICANN Board

1 Chair
Selected by the ICANN Board

1 Security and Stability Advisory Committee (SSAC) Delegate

1 Root Server System Advisory Committee (RSSAC) Delegate

1 Governmental Advisory Committee (GAC) Delegate

Learn more about the Nominating Committee at: http://go.icann.org/nomcom

Learn more about the ICANN NomCom Bylaw at: http://go.icann.org/nomcombylaw

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Background

The ICANN community has been discussing the topic of rebalancing of the NomCom for over 10 years:

2010   NomCom1 Review Recommendation 10

2014   Board proposal via Public Comment: Board Working Group Report on Nominating Committee (BWG-NomCom), based on NomCom1 Review rec. 10

2018   NomCom2 Review Recommendation 10

2021   Proposal by NomComRIWG and withdrawal

NomCom2 Review Recommendation 10

Independent Examiner Finding (2018): There is concern that the NomCom may not accurately represent constituencies (both across SOs/ACs and within SOs/ACs).

Representation on the NomCom was generally seen as sufficient for each ICANN organization that sends delegates to the NomCom. Some people questioned why the GAC was not represented, and others thought ALAC and GNSO were overrepresented. Still others thought that noncommercial stakeholders were generally underrepresented.

A number of people thought the NomCom needed to be rebalanced, both across ICANN organizations and within ICANN organizations. Regarding the latter, for example, more than one person thought the GNSO should consider rebalancing their NomCom appointees to match the structure of the GNSO. Currently, the GNSO sends a delegate to the NomCom for "large" business users and another for "small" business users but this structure is not part of the current GNSO Council.

NomCom2 Review Implementation WG

Rebalancing proposal and withdrawal (2021)

NomCom2 Review Implementation WG (NomComRIWG) believed that:
In relation to rebalancing the GNSO's allocation of 7 seats, it should be the GNSO's constituencies and stakeholder groups that decide how these seats are distributed. Suggestion was to recommend to the Board that the ICANN Bylaws be revised to eliminate language referring to specific seats for stakeholder groups. With such a Bylaws change, the GNSO would then rebalance itself periodically without requiring Bylaw changes. The GNSO would then undertake a rebalancing exercise for its 7 NomCom seats. Possible outcomes, among others, included maintaining the status quo or rotating the 7 seats among its constituencies and stakeholder groups.

NomComRIWG withdrew its proposed Bylaws changes with respect to Recommendation 10. The community and OEC were informed that this recommendation was not implemented by the NomComRIWG.

ICANN Correspondence

Recognizing that ICANN has an important responsibility to address this topic, the ICANN Board [resolved](#) in March 2023 to engage with the ICANN community to understand community views on NomCom rebalancing and provide an update to the Board by September 2023.

ICANN [Correspondence](#) was shared on behalf of the ICANN Board Chair to the ICANN community leaders (21 chairs in total) in April 2023.

Six Questions for Community Input

1. What does it mean to have a balanced NomCom? What criteria would you apply to measure that the NomCom is balanced?

2. Do you support the need for the current composition of the NomCom to be rebalanced? Please explain why or why not.

3. How frequently does the balance need to be checked and reset?

4. How do you suggest that the NomCom be rebalanced?

5. Who should conduct this work, and how should it be conducted?

6. How would your community group prioritize this work within your planning efforts?

Next Steps

The letter requests community feedback by the end of June (Friday, 30 June 2023), in light of the ICANN77 Policy Forum.

The feedback will be analyzed to inform next steps regarding NomCom rebalancing, in line with the Board resolution.

Public Comment proceeding

ICANN Public Comment proceeding currently open for [Bylaws Amendments and Documents to Implement the NomCom2 Review](#) closes on Monday, 29 May 2023.

Topic of NomCom rebalancing is separate from this proceeding, as NomCom2 Review Recommendation 10 to rebalance the NomCom was withdrawn. There are currently no proposed changes to the ICANN Bylaws regarding the seven voting delegates from the GNSO.