



ALAC CORRESPONDENCE  
**AL-ALAC-ST-0623-02-00-EN**  
ORIGINAL: English  
DATE: **29-06-2023**

---

## ALAC INPUT ON THE NOMCOM REBALANCING EFFORT

The At-Large Advisory Committee (ALAC)'s input on the Nominating Committee (NomCom) rebalancing draft statement for consideration by the ALAC. This statement, if ratified, is a reply to the letter from the [Board Chair](#) by the At-Large Operations, Finance, and Budget Working Group (OFB-WG), as a result of our community consultations.

This statement complements the replies from the Regional At-Large Organizations (RALOs) and that (along with any cross RALO reply may be well appended to any final ALAC text).

1. *What does it mean to have a balanced NomCom at a point in time? For example, what criteria would you apply to measure or assess whether the NomCom is balanced? And further, how can one test whether or not the NomCom is balanced?*

The ability for each Advisory Committee (AC) or Supporting Organization (SO) to have a seat on the NomCom or seats, where this is mandated in the ICANN Bylaws, is an important and essential feature of both the current design/structure of Nominating Committees as well as we propose **the most important element** of any future rebalancing efforts. The essential criteria as identified and always cognisant of the fact that as stated in NomCom documentation:

***“NomCom delegates act on behalf of the interests of the global Internet community and within the scope of the ICANN mission and responsibilities assigned to it by the ICANN Bylaws; they do not act in furtherance of the group that appointed them to the NomCom.”***

For ALAC, we think that a rebalanced NomCom would be balanced by geographic, gender, indigenous, and persons with disabilities. Geographic diversity is mandated by the ICANN Bylaws. There should be representatives from each of the five regions and we could use similar criteria for all five groups. For example, within ALAC, we are separated into the five different regions and have one person on the NomCom from each of the five regions. We leave it up to the individual RALOs to choose a delegate with knowledge of ICANN and that would also satisfy

the gender, indigenous and persons with disability preferences. Other constituencies are not set up in a similar fashion but we think the criteria we set up would still work as a guide for the other constituencies.

Each SO/AC such as the GNSO, ALAC should have as its goal to attempt to meet these criteria as best as they can.

*2. Do you support the view that the current composition of the NomCom needs to be rebalanced? Please explain why or why not.*

ALAC/At Large thinks that the current composition of the NomCom is not balanced and should be rebalanced. We supported the original recommendation in the NomCom2 report that left it up to each AC/SO to manage and rebalance their slots to ensure that a geographic, gender, indigenous and/or person with disabilities as well as knowledge of ICANN are included in the representatives to NomCom. The slots should be made more flexible so each SO/AC such as the GNSO, ALAC can manage its own representatives to the NomCom as long as they follow the criteria and also as long as the delegates chosen mirror the different constituencies that make up the GNSO or other SO/ACs.

*3. How frequently does the balance need to be measured or assessed?*

ALAC/At Large thinks that the ICANN Org or the Board should assess rebalancing every five years. It should not just be the Board or ICANN. Org or even the NomCom reviewing and assessing its structure and making improvements, but also for the community to suggest improvements. This could be done by a cross-community working group that helps to create a community representational model that others follow.

Both under WorkStream 2 and also under the ATRT3 recommendations that the Board has adopted there is a requirement for a continuous improvement framework to be created. The ATRT3 did not give a timeframe for this to be completed but we are suggesting every five years.

*4. How do you suggest that the NomCom's composition be rebalanced? And*

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

At Large/ALAC believes that this work should be done within each SO/AC using the criteria suggested in our answer to Question 1. Each SO/AC are the best places to judge and relate the criteria to their own constituencies that make up their SO/AC. Within ALAC/At Large it is easier because of our structure which is broken up into five different RALOs based on geography but then within each RALO we could also set up preferences on geographic diversity. Gender diversity, and also seek to attract persons with disabilities or indigenous members to apply for the slot. We would support the original recommendations made in the NomCom2 report which recommended that each SO/AC be responsible for arriving at its own selection of delegates provided they met the geographic and other criteria we mentioned above.

ALAC/At Large suggests that a working group within the SO/AC be set up to help draw up how this SO/AC will meet the criteria. It should have representatives from each of the constituencies. For example, within At Large, in our selection committees and budget committees, we require at least 2 people from each of the RALOs to be on these committees so that we can be assured that their priorities are covered and also so that they can advocate for their own constituency or group. This works well and has served us well over the years.

*6. How would your community group prioritize consideration of this issue within your planning efforts?*

The ALAC has generally concluded that there is no need at this stage for any major rebalancing, but that this process is best left up to the internal decision-making of the SOACs, **as long as SOAC appointments of their NomCom delegates incorporate the following factors:**

- 1) Capacity of their delegates to execute the functional, geographic, and cultural diversity of ICANN in a neutral, objective, non-discriminatory and equitable manner. (Noting that all meetings are currently in the English language.)
- 2) Ability of their delegates to participate in a manner that will ensure that policy and decision-making follow an open, transparent and bottom-up, multistakeholder process that is also accountable, transparent and enshrines the global public interest.
- 3) Delegates must be persons of integrity, objectivity and intelligence; with reputations for sound judgment and open minds, and with experience and competence with collegial, large group decision-making; have wide contacts and broad experience in the Internet Community; are confident and will consult widely; have no fixed personal commitments to any particular individual, organizational or commercial objectives; and, have an understanding of ICANN's mission and are committed to ICANN's success of ICANN (as per Bylaws 1.2 and 8.4).
- 4) Membership of the NomCom should incorporate all multi-disciplinary sectors and multi-generational backgrounds of the ICANN community including business stakeholders, civil society, technical community, academia and end-users.
- 5) The current decision by NomCom to retain the number of delegates currently allocated to community sections that have more than one delegate, would allow those SOACs to make their own decisions about how their appointees adequately meet the criteria above (in Bullet points #1 - #3 above).

On behalf of At-Large, the ALAC appoints five delegates, each delegate having generally been recommended by each of the five geographic regional organizations

(RALOs) whose representative best meets the expected qualities of a NomCom delegate in points #1 - #3 plus including diversity of gender, age, culture, professional backgrounds, knowledge of ICANN and leadership experience both inside and outside of ICANN. A term on the ALAC or RALO leadership has also been an advantage in the past.

There was some discussion of enabling someone from the younger generation to be part of this decision-making process, to encourage some generational balance in the NomCom mix. For example, while not being recognised as having a GNSO NomCom seat, the Noncommercial Stakeholder Group (NCSG) attracts NextGen participants. After several years of GNSO policy development processes and other involvements, the NomCom role could be encouraged by the GNSO as a possible stepping stone for young academics to take up a leadership role within the GNSO or other section of ICANN.

- 6) The tenure of a NomCom delegate should meet the requirements of each SOAC's internal NomCom Delegate Selection process. Within At-Large, NomCom delegate terms are for one year with a current possible extension of another year to take advantage of the delegate becoming a senior among the ALAC delegates. RALO terms are staggered (as they are also for the ALAC) and RALOs choose as to whether to recommend a second year for their current candidate. The workload is quite heavy so that more than two years may take the delegate away from At-Large duties more than usual, and could produce burn out. Although, some may be more hardy than others. Also, the ALAC should ensure that the best candidates are selected at each annual NomCom appointment process and that we continue to balance our diversity priorities.