

From: Benjamin Akinmoyeje
Date: Friday, June 30, 2023
To: Wendy Profit
Cc: Tripti Sinha
Subject: NomCom Rebalancing

Dear Wendy,

Thank you for your email and the privilege for NCUC to respond to the following issues you raised about NomCom rebalancing.

The NCUC has chosen to adopt our mother stakeholder group (NCSG) statement. The statement addresses most of our concerns in NomCom as passionately expressed on our mailing list in the past few days.

We also answered the question in our response below.

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?

A balanced NomCom means that the noncommercial and commercial stakeholder groups as predicted have the same number of delegates. For example, if the Commercial Group has three delegates, the noncommercial group should have three delegates. This is the least that can be done when rebalancing. It should be remodeled based on the GNSO council composition.

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

Yes, it needs to be rebalanced because as we have argued the non-commercials have fewer delegates compared to the commercial stakeholder group. In every ICANN group, the commercial and noncommercial stakeholder groups should have an equal number of delegates, irrespective of how many internal constituencies they each have.

Also, the advisory committees either should be voting delegates or non-voting delegates. Perhaps because ICANN is privately led and the chair of GAC is a liaison on the board the nonvoting nomcom (which they have never appointed) might make sense but it is unclear why some advisory committees are voting and some are not.

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

After rebalancing, if the review of various ICANN structures leads to structural changes (which it rarely does) then we need to assess whether it should affect delegation on Nomcom.

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

The same number of delegates from Commercial and Noncommercial stakeholders group. If CSG has 3 delegates, NCSG has to have 3 delegates too. We don't necessarily ask for increasing the number of our delegates but we ask to reconsider the number of delegates CSG can have.

5. Who should conduct this work, and how should it be conducted?
The board should follow the third-party reviewer's recommendation.

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

This has been a priority issue for NCUC and NCSG for a long time. We are directly affected.

We are available for further discussion if there is a need for clarification about the NCSG response to these questions in the letter.

Kind regards,
Benjamin Akinmoyeje
NCUC Chair