BARCELONA – GAC: NomCom Working Group with NomCom Leadership Meeting
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OLGA CAVALLI:	Good morning. Big audience. Bom Dia. [inaudible]. Guten Morgen. Bonjour. Which other language I know. No other.
	So, thank you very much for being with us in this beautiful city, lovely country, second home for Argentines and Latin Americans who speak Spanish. And thank you very much for the NomCom leadership that is with us this morning.
	For those new, there are many new members in the GAC, so it's a very very brief story about this working group. We created this working group some years ago to analyze among the different views within the GAC the possibility or not of filling a seat we have within the NomCom. There's a non-voting seat for the GAC that was filled before but for some years it has not been. Nobody has been appointed to it. The reasons for that, if we want really to do that or change. The idea of creating the working group came up in the meeting in Los Angeles where the Board presented a possible change to the structure of the NomCom. I think this has been reviewed recently by a special group that presented their outcomes during this meeting two days ago.
	So, what is the NomCom? And I am just informing. These are the experts that can correct me if I am missing something. It's a group of experts and members of the community responsible for selecting candidates

for the ICANN leadership roles. So, they select half of the Board. Not at the same time. It's like three or two at a time. But half of the Board is selected by this group, so they have a very very important role in selecting leadership positions, three members of the GNSO, three members of the ccNSO, and three members of the ALAC. And you also select how many members of the PTI now? Members of the Board? Two? Yeah, that was not added. I learned when the PTI came to give us a short briefing of what they do. So, the role is enhanced with the PTI selection role.

Can we go to the next one? So, which is the composition of the NomCom now? This slide is nice because it has colors, but I prepared another one. This is the ICANN slide, but I prepared another one. If I see this one, I cannot tell, but mine perhaps is more easy to see. Can we go to the next one? That one.

So, it's 15 voting members and please correct me if this is okay. Seven appointed by the GNSO, five by ALAC, one by the ccNSO, one by the ASO, one by the IETF, the IAB. There are three non-voting members, one appointed by the GAC of course even though GAC decides so or not. That's up to us. One by the SSAC and one by the RSSAC. And there are three leaders, one non-voting Chair, one non-voting Chair-Elect, and one non-voting Associate Chair. Is that right? Thank you.

As I mentioned earlier this week this is my personal comment, Olga, not Argentina, if I see these numbers, I see some imbalance of the participation of the communities. From my country perspective, we support a multi-stakeholder model, and we also like to see some

balance in relation with stakeholder participation, gender participation, regional participation. So, this is why we have been reviewing these issues within this group. Can we go to the next one, please?

So, what we have been doing in talking we defined some stages in between us in the GAC. One is what we have been doing, is not appointing anybody and just looking at your fine work which is extremely complicated, I know. Very challenging. What we did as we heard that ccNSO and ALAC had some submitted some guidelines for you to do your selection and some ideas for you to have in mind, we have agreed in a text, in a very short text, in the last meeting that was sent to you.

What I learned from the other session we had about the revision of the NomCom is that it seems, maybe this is my perception of the comment, there is no memory, so we should submit it every year. Maybe you can tell me. I'm just finishing my slide, and then I give the floor to you.

So, what we did is these guidelines for the NomCom to have in mind in relation with the experience that we would expect from some selectees having some governmental experience, and then in the future we should still review if we want to fill the vacant position for the GAC and the NomCom non-voting or perhaps to have another roll in the future.

And I will show just my last slide which is the guidelines. Can we go to the next slide?

So, this is a lot of text but in general is having experience of working with the public sector including national or local governments, public authorities, understanding and appreciation of advancing the public interest through building partnerships and consensus, and experience in the multicultural setting and understanding of the value and importance of diversity within ICANN. This is an extract of the text which is very short. It's half a page.

So, one of the concerns expressed by some colleagues here in the room and some delegations is that there are some confidentiality rules that could be difficult for a representative of a country within the GAC to abide by and other comments that may come up from colleagues. So, I will give the floor to you. Maybe you can update us about your work. And there are many new members of the GAC in the room, so it's great that you're here. Thank you very much, and the floor is yours.

DAMON ASHCRAFT: Thank you very much, Olga. It is wonderful to be here this morning, and we thank you so much for the opportunity to meet with you and to speak with you and to exchange ideas. I think this is going to be a very productive session.

You had raised a couple of issues that I would like to address. The first is with respect to your GAC agreed upon criteria. Should you be submitting that every single year? Our advice is yes. Typically, the NomCom does ask for criteria and for preferences to be sent on a yearly basis, and that's due because, you know, positions can change and also

ICANN's needs and what people within ICANN view as leadership needs can also change.

With respect to confidentiality. Confidentially is a cornerstone of the NomCom and it's done really for two reasons. The first of which is that we do receive lists of applicants for leadership positions, a whole host of their personal information and we believe that it's important out of respect for the applicants, out of respect for the community, that we keep their names confidential. We think that's very important. The second reason that we view confidentiality as a cornerstone of the NomCom is that under the bylaws the NomCom is designed to be an independent body. So, if it comes out as far as what the NomCom is doing with specifics related to candidates who we're considering, certain procedures that we're taking, etc., we're worried that would get out into the community and that our ability to serve the bylaw mandate that we be independent would be compromised.

So, you mentioned you had some concerns about, you know, confidentiality and I think that's a concern shared by not only the GAC but lots of other supporting organizations because the community wants to know what is going on within the NomCom.

So, what we keep confidential first and foremost is all the candidate information. We think that's critical and so we keep all that confidential. We keep our processes and our internal discussions confidential as well. And again, that's to achieve the two goals that I spoke about earlier.

What is not confidential? General phases of our timelines, processes, what we're generally doing at each meeting, that is not going to be confidential. We do publish report cards. I can tell you at this meeting the main thing that we're focused on is setting the schedule for the year, planning out our other meetings, going over operating procedures and here's generally what's going on in the room, that is not confidential.

OLGA CAVALLI: Thank you. So, what could be a good time of the year for you to send in again, if we agree and we have a consensus, in sending yearly the guidelines? What could be the good time because you have a cycle, right? In selection?

ZAHID JAMIL: Thank you. I think it's important also to clarify how we receive feedback and who we receive feedback from and why we receive feedback and input. Let me ask you this. I think we didn't do this so let me just introduce. Damon is 2019's chair. He's my boss now. I am Associate Chair. I was chair last year. To my left is Cheryl Miller. She is Chair-Elect for next year. And Hans Petter Holen who was my Associate Chair is basically now outgoing Associate Chair. So, we're here in full force to be here and to be able to answer any questions, etc.

But it's important to understand where we get the feedback. The feedback usually comes from those organizations to which we make appointments. So, because we make appointments to the Board, the Board sends us a document saying this is what we think might be useful to have in a Board member. Because we appoint to the ALAC, the ALAC sends us a letter. We ask them to send us something.

So usually that is targeted towards or received from organizations where they have a stake because we're going to be sending somebody to them. The GAC, of course, is not an organization we can appoint anybody to. It's sovereign. We're talking about sovereign governments. Having said that, it doesn't stop the GAC from sending any kind of information towards us, what they might think would be a good Board member or anybody else. But it's important to clarify that distinction, and on the timelines, I'll let Damon come in on that.

DAMON ASHCRAFT: Sure. I mean, to answer your question, I would say you have presented your guidance to us in June or after our June meeting right after our selection meeting in Panama. If this is still your guidelines for 2019, I think we could consider this submitted. If you decide to revise this based upon any decisions you make, I would say go ahead and send in other criteria. There is no hard and fast deadline at which we want that by or actually need that by. But I would say if you could get it to us probably by the end of the year, early part of next year, I think that would be sufficient. Basically, we get our candidates in by mid-March, and we start our deliberations immediately thereafter. So, having your guidelines in by that time would be really helpful. Thank you.

OLGA CAVALLI: Thanks to you. One other comment, we received a report by a group that had been reviewing the structure of the NomCom. Could you give us some comments about how you see that process going on? If the structure will change? In which sense? What do you think about the

DAMON ASHCRAFT: Sure, and I believe what you're referring to is the NomCom Working Group. There was a meeting from that group yesterday. The group and their 27 separate recommendations which we, of course, have reviewed as a NomCom. We met with the chairs of that working group yesterday. That is actually – some of the recommendations, they have can be made by the NomCom itself but as a general proposition, that process is still in sort of an implementation stage and a feasibility stage. So, we have the recommendations, or ICANN has the recommendations, they're going to study them, they're going to determine how feasible they are with respect to rebalancing the NomCom. Those are all very good discussions to be had of whether it is or is not appropriate, but they're not something that the individual NomCom is going to be deciding as far as our balance. That's something that ICANN as a whole organization will be deciding. And I understand that HP has a question or a comment.

HANS PETTER HOLEN: Yeah, thank you. I just want to add that since this review was done more than a year ago actually when it was started, the NomCom has already picked up quite a few of the recommendations and incorporated in its own operating procedures. I think there are a couple of important recommendations there that will affect the ICANN bylaws, and one of them is the rebalancing or not of the ICANN bylaws.

And this is where the GAC may or may not want to have an opinion on that, especially if somebody starts to look at that paragraph that describes your representative on the NomCom whether or not you want it to stay there or not. So, because that paragraph is going to be reviewed anyway as a result of this review, this may be a heads up for you to think carefully about whether you think it should stay or whether it isn't appropriate to have a GAC representative there. So, I think that's the most important thing for you in the recommendations apart from anything else that can help improving the NomCom doing the best possible job.

OLGA CAVALLI: So, just to clarify the whole process of eventual changes to the structure. So, you have that report now, that would come up as a document for public comments and then if changes in the bylaws may come could you clarify that for us and of some certain timeframe?

ZAHID JAMIL: So, the document was out for public comment before summer I believe. So, the final report from the review team has been submitted. There is no implementation team or a follow-up team working on it. And I believe that…I'm not familiar in detail with the process to change bylaws, but of course, in that process, there would be a public comment as well. But that's something that needs to be initiated through that process if the Board Governance Committee decides to follow up on this advice and report. So, one year down the line, two. It takes a while.

DAMON ASHCRAFT: Yeah, I mean the exact timeline for implementation I don't think it's set yet. When we had our meeting yesterday with that review team, I believe they said it's one and a half to two years. So, it's quite lengthy, and so hopefully it will be expeditious as possible, but that is the timeline that we were told yesterday.

OLGA CAVALLI: Thank you very much. We have some minutes for comments from the floor, from colleagues. I will read a list. I have Palestine, Iran. Two hands for the moment. Okay. Palestine [inaudible].

ENG ALAN SALAHALDEEN: Good morning, everybody. I will speak in Arabic. Thank you, Olga, and thanks for the panelist here and for the effort that you are making here. You've said that NomCom is represented by several organizations and GAC and that it has its own charter. I would like to remind you that yesterday during the opening ceremony they mentioned the term multi-stakeholder tens of times by the ministers, by the delegations, and the speakers which means that how important this concept is important for everybody, for private sector, for everybody here. During this situation do we need a new definition for this important term, the multi-stakeholder?

There is one representative from the GAC, and there are seven members from the GNSO so that they represent the private sector and business constituency. We are here talking with reality here. There will be no

other party. We are talking about what we are seeing here when there is a committee for nomination and only one person from the GAC to vote, that means that the roles of the governments it's not that big in this decision. I believe that there is no vote or no voice from the government here in this committee. I think we are late in that and we need to consider that. It seems that they ignore the fact that the GAC is a very important body here and they have to consider that and put that in mind, and ICANN should also be involved in that. I think I would ask you to do something very immediately about the representation of the GAC in this nomination committee. And thank you so much.

OLGA CAVALLI: Thank you, Palestine. I would like to clarify. There're two sides of your comment. One is the structure which some of us think is imbalanced. We may have seven seats for the GAC and not fill them, but they may exist. They don't. It's only one which is non-voting. So, the structure is somehow imbalanced, and some of us agree with you. And then the fact of appointing or not a delegate, it's up to the GAC. It's not their fault. It's our decision. So, it's something that…this is why we created this working group. In general, it's an internal working group, but now they were so kind to come and give us some input from what their activities. And, Zahid, you want to add something?

ZAHID JAMIL: [Inaudible]. Thank you for the comment. I think although we are not the stewards of deciding what the shape of an organization looks like, we just implement, as a nominating committee, what we're given. But it's

an interesting conversation to have, probably something that you should get involved in at the implementation stage. I think GAC's involvement in that process would be very, very crucial, so I would encourage you to do that.

On the issue of the GAC representation, I'm really glad to hear from you that you think that is a really important role. And as Olga very kindly just clarified, we have been asking and actually sending messages every year asking whether there's a representative from the GAC that will be appointed. And I understand there may be some internal discussion you have to have before you do that.

Just historically, there was in the past a GAC representative who did participate in the NomCom and actually was one of the most energetic and very, very helpful members to the NomCom in the past, so it's something to go back and look at. I don't think Jayantha Fernando is here. He was from Sri Lanka, and he did participate at the GAC some years ago. So, we completely appreciate the importance of the GAC. We respect any communication provided by the GAC, and we look forward to, if it is something that you can do, to participate within the GAC.

On the aspect of non-voting, let me clarify. There are other organizations which are equally important within the community, not just as important as the government but just important in relation to say the business and others, SSAC and RSSAC and for certain reasons which may be too long to go into at the moment, they've been given a non-voting position specifically. But let me clarify. Non-voting members within our process actually do participate fully. They actually

are also voting in the straw polls. I won't call it a vote but basically get to raise their hands and what they say has a lot of weight. So, I think that role should not be underestimated or undermined. I think you should participate, and we look forward to you finding a way to be part of our process. Thank you.

OLGA CAVALLI: Thank you, Zahid. Other comments from colleagues? I have Iran next.

KAVOUSS ARASTEH: Thank you, Olga, and thanks to the distinguished members of the NomCom committee. I understand from your intervention that you encourage or are interested that GAC could participate actively in that. That is up to GAC to decide whether to participate or not, and I perhaps think that we need to deal with that issue inside the GAC to resolve the issue of what is referred to in the convention as some sort of confidentiality and so on so forth. This is not a NomCom issue. But at least as far as you're concerned, we believe that we should have active participation once we have decided in GAC. We are not dealing with the voting procedure that is to say. What is important is participation. Being aware of what is being discussed and that is the first step, and we should go step by step. We thank you very much for your presence. Thank you for your information and thank you for encouragement you're giving to the GAC and welcoming a potential participation of GAC at your meeting. Thank you.

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OLGA CAVALLI:	Thank you, Kavouss. I have India next.

RAHUL GOSAIN:	First of all, I join all my other GAC colleagues here in welcoming Zahid, Damon, and the other people from the NomCom who have been so graciously kind enough to come here to brief us all about the deliberations of the NomCom and how it is structured and essentially about the importance of having a GAC representative member, even though non-voting liaison on to the NomCom.

I would like to know a little bit more about the internal process which is followed in the NomCom in terms of going about getting the Chair-Elect and the elect Chair for the particular NomCom cycle if you could brief us. And I would take this opportunity to reiterate our stand that we feel that it is extremely important that the GAC fill that position which is vacant there on the NomCom. We feel that it's an important position in which GAC representation should be present, so we are aware as Iran rightly pointed out about all the developments which are taking place and we are in sync with what is happening within the community in terms of the selection of leadership positions for the ICANN Board. Thank you.

DAMON ASHCRAFT:	Thank you very much for your question. With respect to how the seats for Chair and Chair-Elect are filled, the ICANN Board and specifically the Business Governance Committee, they select the individuals to be Chair and Chair-Elect. There is a call for expressions of interest for both

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positions each year. Candidates put in their expressions of interest, they submit a CV, they go through an interview process. Sometimes there are follow up questions to that interview process, and then the BGC selects the Chair and the Chair-Elect. It is presumed but not required that the Chair-Elect will become next year's Chair. So, I think the presumption is that Chair will be Chair next year, but it's not necessarily a requirement. With respect to the Associate Chair, the Associate Chair is an individual that the Chair selects for the particular year. So, I selected Zahid.

ZAHID JAMIL: Sorry, just one clarification. It was an unintentional error. It's not the Business Governance Committee is the Board Governance Committee. We're not appointed by business; we're appointed by the Board. So, I just wanted to clarify.

RAHUL GOSAIN: Just a follow-up question on that. Just to be clear. It is my understanding that some of the members on the ICANN Board may also be NomCom appointees, so is it ensured that no one on that present Board Governance Committee is one of the NomCom appointees from one of the current NomCom [cycles]?

ZAHID JAMIL: Correct, we're ineligible. Number one, we're ineligible. Number two, we don't get to vote. One of the key aspects of the leadership of the NomCom is that we stay away from commenting on the worth or

otherwise of a candidate. We do make it a point to clarify criteria and what has been decided and run the process. But the role of any of the leadership is not to start commenting, lobbying, or advocating for a particular candidate. That is precisely why we are non-voting.

OLGA CAVALLI: Thank you very much, India and colleagues, for commenting. There is another request. Could you remind me your name, please?

WARUNA SRI DHANAPALA: Hi, I'm Waruna from Sri Lanka.

OLGA CAVALLI: Welcome. The floor is yours.

WARUNA SRI DHANAPALA: Just one comment from Mr. Jamil for reminding the good work done by my colleague, Jayantha Fernando. Actually, the question I want to raise was just raised by Indian colleague, so it was well answered by Jamil. So, thank you for the good work and explaining the joint efforts of NomCom and GAC. Thank you very much.

OLGA CAVALLI: Thank you for the comments. India again. Floor is yours.

RAHUL GOSAIN: Damon, I wanted to address this question to you people. We within the GAC have done a lot of internal discussions about what should be the possible criteria for positions on the Board as well as other positions which are being appointed by the NomCom. We in that arrived upon the recommendation that in addition to public policy skills, the possible ICANN Board appointees should have some knowledge of the various ICANN committees like the Board Governance Committee and how they operate or some previous experience in terms of. So how relevant do you think this idea is in terms of possible pre-qualification criteria for candidates applying for Board level positions, number one? And number two, can you have any suggestions in terms of what eligibility criteria should a possible GAC liaison to the NomCom satisfy in terms of his knowledge or his awareness or his skillset which will effectively make him function better as part of the NomCom and contribute to the process? Thank you.

DAMON ASHCRAFT: Thank you very much for your questions. I'm going to take the second one first. With respect to a potential appointment from the GAC to the NomCom, I think what you would want to look for would be an individual first and foremost that has the time to participate within NomCom. It's a time-intensive participation, and unfortunately, when you're in NomCom, you can't participate in a lot of the meetings that go on traditionally at ICANN. In addition to that, I think you'd want to look for an individual that was well spoken, someone that can advocate their views particularly since you're non-voting, to advocate your views to others within the NomCom and a person, that I would say, just in

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general has a good ability to work well with others, cooperate well with others. I think those are all some of the qualities that you would find that I think make a really good NomCom member.

With respect to the criteria that the GAC has submitted. Thank you very much again for submitting it. What happens with criteria that we get from the GAC or whether it be the Board or anybody else within the community, it is all valuable, and we thank you all for doing it. The NomCom though is an independent body and there are 16 members of the NomCom and all of them will go ahead and consider the various criteria, and then they'll make their selections.

Another point I want to make is that we select from the pool of applicants that we have, and that's all we can select from.

CHERYL MILLER: I just wanted to add on to that with respect NomCom members what qualities really help the NomCom overall. I think diversity is also very important and so I think if you do consider a candidate, we can always use some more women, for example, on the NomCom. Sorry I had to say that. But also, someone who's very neutral in terms of thinking so that every candidate really is considered in whole and has a fair chance to move through. Thank you.

OLGA CAVALLI: Thank you, Cheryl, for the important point about the possibility that colleagues here can bring people from the community and apply for the different positions to the NomCom. Palestine again. The floor is yours.

ENG ALAN SALAHALDEEN: Thank you, Olga. I thank Mr. Zahid for this answer and based on your answer I believe there are many factors that are related to GAC. Number one, the timeframe to give GAC a big role in voting and, secondly, the Board of ICANN, what do they think? How do they feel about that and I would like some clarification as how they think?

ZAHID JAMIL: I think it's an important question. It's difficult for us to make a comment on whether or not some particular person who is a non-voting liaison within the NomCom should be changed to voting. I think it would be inappropriate for us to talk about that although what we do feel generally is that when somebody is in the room, it would be so much more helpful to a process that everybody is treated equally. I think that would be something I would say. But whether the community considers that change should happen is something for the community to decide. It's not for us to decide. And what the Board thinks about this I can tell you I have no idea and you'll have to ask the Board about that.

OLGA CAVALLI: More requests from the floor?

I have a final question. The eight Board members that you select must have some regional diversity because when you see them on the list, it's appointed for Latin America or for North America or Africa. You select with that criteria if they are candidates or just happens?

CHERYL MILLER: So actually, per the bylaws, there are guidelines with respect to how many seats are available per region. So, there are five per region that are open. So right now, North America has five for example. We have, and I'm trying to remember, Europe has four. I think Asia two. Latin two and Africa two. You'll have to go back and check those numbers because I'm just going based off of memory. So clearly, we could use some more solid candidates from some of the regions that don't have as many, and to the extent I think that GAC members have candidates that they think would be good, certainly put their names forward.

OLGA CAVALLI: Thank you for the clarification because I didn't know exactly the number of slots for a region. So, if you have no candidates in your countries that could be suitable for this position, not only the Board. I was NomCom appointee for the GNSO, and that was very…sorry.

Sure please. Go ahead. We still have two minutes.

CHERYL MILLER: Thank you. Just very quickly just so you have an understanding of how the process is going to move forward, and I'm happy to answer questions afterward on this as well. So right now, we're in what we call the preparatory phase, and this is going to run from October 29 to about March 9. This is where we will be opening up the application window later in the year. So tentatively January 15th the application process will open, and it will close somewhere around the 18th of March. Those

dates are tentative, but we'll be posting them and giving information on the website. We'll also be meeting with all the different groups throughout ICANN as well to make sure everyone is aware.

We have an inner [intersessional] that is tentatively planned March or April. In that timeframe is when we will do candidate assessment. The candidate assessment will take place all the way through the end of June where we'll be deep diving candidates. We will be sort of doing all of our evaluations, etc. So, it all occurs during that period. Reference checks on candidates, all of that. We'll have face-to-face interviews with the Board candidates at our meeting in Marrakech. We'll also be selecting in that meeting. So, we'll be selecting not only for the Board, but we'll be selecting for all the other leadership positions. Then after going through candidate due diligence, we'll be making the announcements and notifications no later than September 2, 2019. So, by then the names of the new members will be announced.

I wanted to run through that but if anyone has any other specific questions with regard to that, happy to answer and we'll have all this information obviously publicly available, and we'll be giving out notices on it.

OLGA CAVALLI: Thank you very much. Comments from colleagues? We are almost on time.

Thank you very much for being with us and remember if you have candidates of your countries, of our communities, not only for Board

members also for GNSO, ccNSO, ALAC, encourage them to participate. And also you know I'm always keen to promote diversity in gender and region so, women, apply. Very few women apply. If we want more women there, we encourage them to apply and also from other regions. Thank you, colleagues, very much for being with us and thank you all for your attention. Thank you. That was very helpful.

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