

26 April 2023

Subject: Nominating Committee (NomCom) Rebalancing

Ms. Lori Schulman
President, Intellectual Property Constituency (IPC)

Dear Lori Schulman:

On behalf of the ICANN Board, I would like to bring your attention to the issue of Nominating Committee (NomCom) “rebalancing”. In view of discussions at the ICANN77 Policy Forum, we would appreciate your community group’s input on this issue...and by Friday, 30 June 2023.

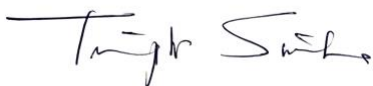
As you know, the NomCom is a committee tasked with selecting key ICANN leadership positions, including some members of the ICANN Board of Directors and the Public Technical Identifiers (PTI) Board, as well as other positions within the ICANN community. The NomCom functions independently from the Board, the Supporting Organizations (SOs) and Advisory Committees (ACs). 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 the NomCom under the ICANN Bylaws – they do not act in furtherance of the group that appointed them to the NomCom.

The ICANN community has been discussing for over 10 years the issue of the rebalancing of the NomCom. Recognizing that ICANN has an important responsibility to address this issue, the ICANN Board resolved to engage with the ICANN community to understand community views on the rebalancing.

Therefore, we kindly ask for your input on the following questions:

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?
2. Do you support the view that the current composition of the NomCom needs to be rebalanced? Please explain why or why not.
3. How frequently does the balance need to be measured or assessed?
4. How do you suggest that the NomCom’s composition be rebalanced?
5. Who should conduct this work, and how should it be conducted?
6. How would your community group prioritize consideration of this issue within your planning efforts?

The “Background Information” section annexed to this letter provides further information, including proposed ICANN Bylaws Amendments pertaining to NomCom membership that are currently open for Public Comment. Thank you in advance for your input.



Tripti Sinha
Chair, ICANN Board of Directors

Background Information

- [ICANN Public Comment](#): NomCom2 Review Implementation [proposed ICANN Bylaws Amendments](#), (see “Article 8 Nominating Committee” pertaining to NomCom membership, page 3)
- [NomCom2 Review Implementation Plan](#), Recommendation 10, (see steps 1-8, page 24)
- NomComRIWG [presentation](#) on NomCom Rebalancing (April 2020)
- NomComRIWG [scenarios](#) for discussion on NomCom Rebalancing (April 2020)

The NomCom Review Implementation Working Group (NomComRIWG) concluded that NomCom2 Review recommendation 10, stating “Representation on the NomCom should be re-balanced immediately and then be reviewed every five years,” was not feasible for NomComRIWG implementation, and withdrew its initial proposal accordingly.

The NomComRIWG first considered the development of principles to guide rebalancing, performing a gap analysis over how those principles were met, presenting resulting scenarios to address the identified gaps to the community as a whole. During implementation, the NomComRIWG updated their plan to focus their efforts on centralizing the rebalancing efforts only on the seats selected through the various components of the Generic Names Supporting Organization (GNSO). After that proposal was not accepted by participants in the GNSO, the NomComRIWG re-evaluated their efforts and identified that the NomComRIWG might not be the most appropriate group to move forward consideration of this issue, which re-evaluation led to the Board’s March 2023 [resolution](#).

Currently:

- five delegates are selected by the At-Large Advisory Committee (ALAC),
- seven by the Generic Names Supporting Organization (GNSO),
- one by the Country Code Names Supporting Organization (ccNSO),
- one by the Address Supporting Organization (ASO), and
- one by the Internet Engineering Task Force (IETF).

The [proposed ICANN Bylaws Amendments](#) will move the non-voting delegates currently selected by the Government Advisory Committee (GAC), one by the Root Server System Advisory Committee (RSSAC), and the Security and Stability Advisory Committee (SSAC) each to voting delegate status.