

# ISPCP

**The Internet Service Provider and Connectivity Provider Constituency  
ICANN**  
**1 February 2018**

## **Internet Service Provider and Connectivity Providers Constituency** **Draft ISPCP Comments the NomCom Review Assessment**

The ISPCP has had long experience with the Nominating Committee and is pleased to be able to comment on the Assessment report related to the Independent Review of the ICANN Nominating Committee.

The ISPCP is surprised that the findings can be based on observations of NomCom meetings at ICANN60.

NomCom, as indicated in the report, is based on a one-year membership, and works through a cycle with different phases (preparatory, recruitment, assessment, selection). During ICANN60, NomCom was at an early preparatory stage. ISPCP believes that it is premature to draw any findings or conclusions from these very limited observations.

ISPCP is also surprised by these initial findings, which do not seem to be based on factual analysis but only related to some feelings or comment without any information if the source is well informed or not.

Particularly, the ISPCP does not understand page 1 of the executive summary: the doubt expressed on independence and prioritization of the interests of the global internet community in decision making ».

ISPCP do not understand the judgement made that NomCom members do not have sufficient experience with recruiting and selecting candidates and objects to that judgement.

ISPCP strongly objects that NomCom members have difficulties to understand the role of Board Members. (Page 10 of the report).

Most of NomCom members of the actual and previous committees have deep experience of ICANN and are senior and experienced members of their respective communities.

On the recruiting process, NomCom is looking and tries to attract candidates who can fill identified gaps in the ICANN Board, and maintain competencies on crucial domains. It can be from people having experience in ICANN or experienced people from outside the ICANN environment.

It is a fine balance needed, and NomCom members can only play their role if they have deep experience of ICANN and strong connection with the communities. But this is not contradictory to doing outreach outside of ICANN directly or using recruitment firms.

Regarding diversity, ISPCP notes that the current NomCom and previous ones are geographically diverse. On gender balance, it varies. Five female are in the current NomCom. ISPCP agrees that it could be improved. Only two women have been NomCom Chairs recently.

ISPCP agrees that the term of NomCom members should be extended from one year to two years for better continuity.

ISPCP is not convinced that the NomCom staff is under-resourced and notes the exceptional qualities and dedication of this staff.

The NomCom should not elect candidates who are active in any constituency, there is a way for the constituencies to promote their candidates and the NomCom should aim at electing independent candidates. In particular, regarding the SO/ACs members, the candidates should not be a member of the SO/AC to which he is applying to.

The non-voting members of the NomCom should either be able to vote or not participate in the polling of the candidates, participating in the polling is the same as voting. There should be a clear statement if they can vote or not. Also the term of the non-voting members should be the same as for voting members.

The way the Board selects the NomCom Chair lacks transparency and should be much more objective.

Regarding the comment on the extent to which NomCom appointees and members are independent and prioritize the interests of the global internet community in their decision-making is very strong. The NomCom appointees are elected through a process very similar as that of the Board members, since they are from the same constituencies or SO/AC. So are they saying the same thing about the Board?

Regarding the advice provided by OB, we think the main problem is that the NomCom has no time to evaluate their work nor to consider another firm. The NomCom duration is too short to be able to consider main changes to the process. A two-year NomCom would have a clearer view of the problems and how to solve them.

We believe that the following things could use improvement:

Initial review of applicants SOIs: The treatment allocated to SOIs, wherein a large number of these are rapidly eliminated from further consideration would appear to be rather arbitrary and perhaps hasty. SOIs from unfamiliar candidates (some with very impressive credentials) do not always receive the consideration due to someone who took the time to prepare the SOI and submit it in the rush to advance SOIs from more familiar faces.

The question of Chairs, and their use of authority, can get out of hand -- after all, everyone sitting on the Nom Com (with the exception of ICANN staff) are volunteers. There was a recent incident which resulted in abusive treatment of a Nom Com appointee followed by a public

discrediting of that person's performance. We suggest that Nom Com chairs should be politely encouraged to refrain from such "tar and feather" episodes, and resort to less volatile methods of restraining any excesses involving appointees.

The ISPCP thanks members, volunteers and experts who have contributed to the NomCom Review process and looks forward to its ongoing work.

This comment was drafted by individuals from the ISPCP's membership. It was approved for submission through the regular January 2018 ISPCP mailing list approval process.

Submitted on behalf of the ISPCP Constituency.

Mark McFadden