ETNO RESPONSE TO THE ICANN PUBLIC COMMENT REQUEST ON THE BOARD WORKING GROUP REPORT ON NOMINATING COMMITTEE

October 2014

Executive Summary

- ETNO thanks the ICANN Board for the opportunity to comment on the Board Working Group report on the ICANN Nominating Committee.

- While ETNO agrees on the objectives to maintain diversity and stability within the NomCom, ETNO fails to see an appropriate response to these objectives in the majority of the proposals.

- In particular, ETNO is concerned with the proposal to increase the number of appointees while reducing the number of representatives coming from the business sector.

- ETNO urges the ICANN Board not to take any decision based on this report and to consult with the community and individuals involved with the most recent committee in order to analyse the current functioning of the NomCom and consider possible improvements.

General comments

The Association of European Telecommunications Network Operators (ETNO)[1] would like to thank the ICANN Board for the opportunity to comment on the Board Working Group Report on Nominating Committee (BWG-NomCom).[2]

In selecting half of the Board Members, and leaders for the GNSO, ccNSO, ALAC, the Nominating Committee has a crucial role within ICANN.

ETNO agrees that diversity and stability are key elements for a well-functioning NomCom. In addition to these elements, ETNO suggests to add efficiency as a working objective. The Nominating Committee mission must be fulfilled in a timely and efficient manner for the benefit of the ICANN organisation and community.

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[1] The European Telecommunications Network Operators' Association (ETNO) is representing 41 major companies, which provide electronic communications networks over fixed, mobile or personal communications systems in 35 countries. ETNO is Europe's leading trade association. More information about ETNO can be found at: www.etno.eu.
[2] https://www.icann.org/en/system/files/files/bwg-nomcom-21aug14-en.pdf

ETNO is concerned that the current proposal would increase the number of appointees in such a manner that it would be detrimental to the efficiency of the committee. As such, ETNO suggests maintaining the same number of appointees that exist today (21).

To increase the number of appointees from the Country Code Names Supporting Organisation (ccNSO) from 1 to 5, the same number of representatives as for the Address Supporting Organisation (ASO) is not consistent with the objectives of the Nominating Committee. The issues the Board has to deal with are not equivalent for the Generic Names Supporting Organisation (GNSO), ccNSO and ASO, as for the CCNSO and ASO most of the policies and issues are addressed at local or regional level and are out of the ICANN scope and mission. Further, representatives from these communities have a technical profile and this profile is already very well covered by representatives coming from the Root Server System Advisory Committee (RSSAC), the Security and Stability Advisory Committee (SSAC), and the Internet Architecture Board (IAB).

The value of the Nominating Committee is its diverse representation of a skills and stakeholders, and this diversity comes, in large part, from the GNSO representatives and specifically the Commercial Stakeholder Group (CSG). The CSG's ability to outreach to the business community and to select Board Members and leaders having the appropriate financial, legal, audit and governance skills is essential to the ICANN organization. This also helps ensure that high quality candidates, capable of managing the complex workload and issues that the ICANN community faces, are elected to the ICANN Board and other leadership positions. As such, ETNO is of the belief that reducing the number of selectees coming from the CSG from 4 to 1 would be counterproductive.

Regarding geographic diversity, ETNO is not convinced that this is an issue. Geographical diversity has been a long-standing objective of the NomCom and the composition of the recent NomCom is illustrative of that aim.

ETNO is also concerned that the NomCom could be working through delegations. It would make the work of the committee very complex and would contradict the actual spirit of the committee working as a unified team for the benefit of the organisation. In addition, this would frustrate the efficiency objective mentioned above.

Finally, ETNO supports that the mandate of the NomCom appointees be extended from a one year term to a non-renewable two year term, on a staggered basis to prevent capture. This would allow NomCom members to build upon their valuable experience and for the ICANN community to capitalise on a strong NomCom which has a certain degree of continuity.

ETNO suggests that the Chair elect position is maintained in order to allow for a smooth transition from year to year, and that the NomCom leadership positions (Chairman, Associate Chair and Chair elect) are selected by the committee and not by the Board. In such a way, the committee spirit is strengthened.