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PANAMA - GAC: NomCom Working Group  
Thursday, June 28, 2018 - 08:45 to 09:15 EST  
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MANAL ISMAIL, GAC CHAIR: We have next agenda item 21 on NomCom working group update to the GAC. And this is scheduled for 30 minutes, but let me just check if we're ready for the next session.

Okay. I see we are ready. So over to you, Olga.

OLGA CAVALLI:

Thank you. Good morning to everyone to the brave colleagues here with us this morning. So I have prepared a very short PowerPoint, three slides only, been talking with some colleagues and their first or second meeting so maybe you are not so much aware of what is the purpose of the working group and why we've been working on some documents and the text that I will show you in a minute. So I will go through the PowerPoint first, which is short and then I will go through a document which is quite short and I will share it in the GAC list two times for your revision. The idea would be as this is a plenary session, not a working group session. If we have comments, changes, edits to be made to the document we do them or if okay with it, we can agree and go to the next step.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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The NomCom is a group composed by several members of the ICANN community. I will show you in the next slide what is its composition. They select half of the board. Not at the same time but every year they go on selecting two or three members of the board. But half of the board is selected by the NomCom. The other half of the board is appointed by the different supporting organizations or advisory committee. For example, Manal is our representative in the board and then there are representatives appointed by the ccNSO, the NSO, by the ALAC. The other is appointed by the NomCom. Maybe from the ICANN community or the general Internet community who are interested and have the knowledge and the ability to serve in a board of such an organization which is ICANN.

They also select three members of the GNSO, they are appointed by the NomCom members of the ccNSO and three members of the ALAC. So they have an important role. I would say at least for me, the most important role they have is selecting the members of the board because it's really half of it.

So how is the NomCom composition today? There are 15 voting members. You may not see them often during the meetings because they meet in other places, they have to review a important amount of documents from the candidates, discuss and vote and do several iterations of voting so they're not usual -- you don't see them very often during the meetings. Seven

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members are appointed by the GNSO. Five members appoint by the ALAC, one by the ccNSO, one by the aso and one by the iab. There are three non voting members, one that should be appointed by the GAC not appointed for the moment, one by the stability and security advisory committee, and the other one by RSO AC -- I don't remember the acronym.

So they have a chair who is nonvoting, a chair elect for the next year and associate chair which is usually the past chair. So this is the composition of the group. What we have been reviewing is reasons for why the GAC is not participating. There is for the moment no agreement that the GAC appoint even a nonvoting representative but what we decided in the working group was to prepare a set of recommendations for the NomCom to have in mind when selecting these leaders in these leadership positions. Other groups have had the same. The ALAC has already provided the NomCom with guidelines and I think the ccNSO has done the same.

Just for you to know, when the NomCom members knew that we were working on this, they have approached me several times and told me it could be an important text for them to have in hand when selecting leaders for this leadership positions.

So what is the purpose of this session? I will show you in a minute a document that has been prepared by the working

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group. We have been reviewing it for quite awhile, it's very short and includes some general criteria for those members in the NomCom to be in mind when selecting these leaders. If we agree in the text then we will check with Manal what is next to be done.

This is very short. You can read it and tell me if you want to change anything or you like it as is. As I said, it's been going around for more than a year I think. So I will read it. I think you can see it from there, right? You can read it okay?

Okay. [refer to slide] [reading] should include collective among its membership members who have the following qualification and is attributes. There is a superscript there that the number has changed, the reference is below, it's a footnote. This is a reference to an advice made by the board in this regard. 10 we just included it as we thought important.

The rationale for including this reference, a matter of good public policy that ICANN operate officially and effectively the criteria identified by the board appear to be a reasonable set of operational requirements for this purpose. What we say is we agree with the board in their criteria.

Experience of working with or in the public sector including national or local government, public authorities or intergovernmental bodies. The rationale for this is experience in

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working or interact being governments or public authorities would contribute to a good understanding by the board of GAC input which represents the view of concerned interested governments or intergovernmental bodies.

Of course not all the members of the board should have this experience but it could be good to have some of them selected using this criteria or having in mind this criteria so some are more acquainted or used to working with government. You know working with government has a different perhaps way of contacting and different speed of resolution like for example private companies or civil society organizations. It's sometimes different, and if you are not accustomed to that perhaps you don't understand the culture of the group or the dialogue.

The third one, an understanding and appreciation of advancing the public interest through building partnerships and consensus. The rationale for this is understanding and appreciation of public private partnerships and/or multi-stakeholder processes with track record in developing a consultative approach can facilitate a constructive resolution of matters. ICANN is a multi-stakeholder environment and it's important board members maybe have governmental experience, but they should also be able to interact with other stakeholders in such an environment and finally. Experience in the multicultural setting and understanding of the value and

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importance of diversity for ICANN as a global coordinator of the domain name system.

Pursuit of diversity is a -- we all know ICANN is a multicultural -- it has approved a lot, when selecting this leadership positions, these board members would have that in mind when they come from developed or developing country or economy, if they have this vision and focus towards multi-stakeholder, multi culture, that would be also good for this organization.

So as you can see, the text is short, and I would like to hear your comments if you have suggestions of edits. If you like it, if you don't like it, and I will open the floor now for questions, comments. Kavous, go ahead.

KAVOUS ARASTEH: Thank you. Good morning, distinguished colleagues. This text is on the table for several months.

OLGA CAVALLI: Yes.

KAVOUS ARASTEH: A year. I don't think that we need to go through the stylistic modifications and so on, so forth. If there is any substantive issue that has not been taken care and which is required and it

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has not been raised at the previous meeting and argued that was not necessary, I suggest that we do not go in a word by word or paragraph by paragraph. I think it is a time to communicate what we are thinking. We are not writing the UN charter nor the constitution of the ITU or of any -- it is a mention that this is the view of GAC, should be represented as a nonvoting member. This is what I believe, that a member of the board should be the [indiscernible] in order to be able to consider the input requirement of the GAC and needs of the GAC. Nothing more. So I suggest take it paragraph by paragraph. If no comment, say approved. Or take it in one shot. If there is no major [indiscernible] and editorial amendment you are seeking for and no stylistic you are seeking for, then you take it in one shot.

Two suggestions. I make it for the extreme one, one shot. If people agree with that, so far so good. If not, you take it paragraph by paragraph quickly and then we hope that we will finish this business at this meeting. It doesn't mean that we don't want to continue working with you. We will be more than happy to have you on board and so on, so forth on the board of the arrangement, maybe one day board of the ICANN as well. But those are suggestions. Because I have been listening to all this for years. So I think it is maybe time that we decide.

English language and [indiscernible] are very rich. You can change the words, there are a variety of similarities of the words

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and so on, so forth, synonyms, and so -- but let us not go to that far in detail. Sorry, I hope I convey my message. Thank you.

OLGA CAVALLI:

Thank you, Kavous, and let me tell you my personal view and take the liberty of thinking about your suggestion. The text has been around for more than a year, and I have sent it twice to the GAC and there were no comments. So I like your suggestion of considering it in one shot. That's my personal view. But of course we are here to work as a group. So I like your suggestion because it has been there for a while. Nobody commented. We did many editorial changes in previous meetings, you were there. So like your suggestion of one shot, this is my personal view. Other comments, please. Denmark.

DENMARK:

I can fully support this. This has been going on for I would say decades, so I think we have done a very good job with you and this is a -- this is the key question for the working group, and I think of course I think we should discuss is there anything else we need to do? Because I think this is the important thing from the working group. Thank you.

OLGA CAVALLI:

Thank you, Finn. Other comments? India.



RAHUL GOSAIN:

India, Rahul Gosain. First of all, good morning to all the distinguished colleagues, and I fully welcome the comments of my other colleagues from Iran and Denmark. However, at the risk of sounding nit-picky, I would like to suggest a small editorial, if I may say embellishment, that according to me adds some value to the meaning. In the first sentence appearance of working with or in the public sector including national or local government, public authorities, or intergovernmental bodies, in multi-stakeholder settings, I would like to emphasize that.

Although I understand that the second part, understanding and appreciation of advancing the public interest through building partnerships and consensus, is purported to take care of that; however, I feel that insertion of that language in the first sentence would probably add greater emphasis and value to the experience, requirements in terms of having prior experience of working not only in multilateral and intergovernmental settings but also in a multi-stakeholder environment. So of course I leave it to my other learned colleagues to offer their comments.

OLGA CAVALLI:

It is included later in the text.

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RAHUL GOSAIN: But the idea of specifically using the word multi-stakeholder and having it there provides some amount of value to the experience requirements on the part of the candidates who propose to become board members.

OLGA CAVALLI: Kavous.

KAVOUS ARASTEH: I think it is a sensitive issue that maybe some government is still have not yet publicly officially pronounced the multi-stakeholder in an official way. [indiscernible] three years ago when the minister came and announced now [indiscernible] multi-stakeholder I hope we will do the same thing. But multi-stakeholder can do any of the other things but the first one I think you are talking public, so on, so forth let us be in a way that everybody would be happy with that. The whole ICANN working in the multi-stakeholder approach or model, I don't know whether you say approach or model because there's a big discussion, but let us not put anything in that sentence.

A sentence is implicitly -- the whole thing is based on that. If you introduce the [indiscernible] people saying now they have to consult the governments to see whether public -- some of the people are not here. But we are listening to some people even if

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they are not in favor of official mentioning -- leave it as it is. The whole thing is -- but we have discussed that. It was raised two times previously and it was said implicitly -- doesn't mean that we are against. Fully in favor of multi-stakeholder -- multi-stakeholder rich environment that everybody could contribute and so on and so forth. The government, possibilities, multi-stakeholder, private sector and others, academia. I suggest, if my colleague from India agrees, not going that far and adding something. Thank you.

OLGA CAVALLI:

Thank you, I have Trinidad and Tobago.

TRINIDAD AND TOBAGO:

Good morning. Karel Douglas, Trinidad and Tobago. I do like what the text says, I like the high-level views we have, let's say four or five broad points, experience, publishing. Solicited those critical points, but wondering whether there's value in also including some of the things you hear from the other side, from persons on boards, like this. The CUC or the board itself, let's say the other ACs and SOs where the issue is does the individual have the time to spare and devote. And wondering even though we've put the high-level broad principles of understanding, skill, is there a element of a certain amount of devotion on the part of the individual? He must be able to devote -- and it may not be

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expressly stated, it may be implied -- but is there any value in also including in one of those having the time to do the work? So if going to nominate you, yes, you have the skill and we know you have the experience, but you also must be prepared to devote a significant amount of time to the work of the board as the case may be.

OLGA CAVALLI:

Thank you very much for the comment. If I may -- and I think it's a very important point -- those applying for this leadership positions, they receive that information from ICANN. This is guidelines for the NomCom when they have to select people that are there are aware of what you are saying which is a major issue. My impression is that this is guidelines for the NomCom and not for the candidate. Do you see my point? I think your point is to the candidate but this will not go to the candidate, this will go to the members of the NomCom. Senegal.

SENEGAL:

The representative of Senegal speaking. Thank you, Olga. I believe that this text has required a lot of work in our previous sessions. It is a very positive outcome, and it has to be adopted as it is, in my belief. And I want to thank the amount of work. I want to commend Olga's work and her team for this text. I think we should not go back. We've already discussed this text in

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previous sessions, and it is the time to adopt it as it is. I want to congratulate Olga for her team and the quality of her work.

MANAL ISMAIL, GAC CHAIR: Thank you, Olga. Just to the point Trinidad and Tobago raised, just to clarify that those are incremental criteria that we are providing specifically from a governmental point of view. But you agree with you there are other aspects that should be covered, and they are all covered through NomCom and through our SO's, so definitely there are other requirements but just stressing a set of criteria that complement the whole picture from a governmental point of view. Thank you.

OLGA CAVALLI: Nigel Cassmire.

NIGEL CASSMIRE: Thank you. Good morning. Olga, you asked whether we like the text and so on. And I like it. I think it progressively states the aspects of the attributes we're looking for. And I think in terms of the first one where it talks about governmental experience, I think all governmental experience is relevant to the case. And to comment on what our colleague from India suggested, and he did in fact say that the point he raised could have been considered as being taken up subsequently and I think it is, but if

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we were to put it in the section where we are seeking to see that general governmental experience is relevant. And if we narrow that down, to me that is not -- it would tend to exclude persons who haven't -- you know, it wouldn't be as inclusive as it wanted to be initially. So I would suggest that the concern be if in any way it needs to be more clearly stated subsequently, one could consider that. But I think it's a fact that all governmental experience is relevant. So I wouldn't want to limit it in any way, at least in the first statement.

OLGA CAVALLI:

Nigel, just for clarification. So you like to leave it as is? Okay, thank you. Other comments? Rahul, can you live with it? Or you insist.

RAHUL GOSAIN:

I can live with it. But to paraphrase what Nigel was apparently saying is that he's agreeable to the use of multi-stakeholder maybe in some of the subsequent sentences but he wants the first sentence to be left as is. My short point is that in these guiding criteria which we as GAC are providing to the NomCom, there should be some reference to prior exposure or experience of working in multi-stakeholder settings.

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And just to respond to my learned colleague Kavous' idea in which he espoused that there would be several governments which have not endorsed a multi-stakeholder position, I think the wording takes care of that. It is not the government's position being referred to but only the experience of the person having worked or with prior experience in multi-stakeholder settings being referred to.

And just to flag what Nigel pointed out in terms of it limiting the applicability to people -- a subset of those who have experience in governmental settings, I would say any guideline or criteria we set out or provide, in fact it is for limiting from the full pool of people, it's for the purpose of soliciting and selecting only those kinds of candidates which actually make the cut and who it's desirable who should be considered for these positions. So setting any guideline or reference point is by definition the purpose of limiting from the vast open pool of candidates, a set of candidates who have the desirable attributes to make the cut and to qualify. So personally if you ask me, I don't see any detriment in using or adding the phrase experience in multi-stakeholder settings. Thank you.

OLGA CAVALLI:

Thank you. And before giving the floor to Kavous and Manal, I think if you stick to the text when selecting, you will not consider

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those candidates, as mentioned by other colleagues, do not have the experience of multi-stakeholder but do have for the government or inter governmental, so I see the value in the text as it. Kavous.

KAVOUS ARASTEH:

Yes, it's not the matter that some countries have not yet formally announced or pronounced multi-stakeholder. It's the point that I am attending as a member of GAC representing my government. I don't have that authority to mention here because I will be told that this is implicitly implied. If you look in the number three, experience in the multicultural setting, understanding of the values and importance of diversity for ICANN as a global -- multi-stakeholder is that -- my suggestion would be that the text is sufficient -- I put Democratic, transparent, I put many things. We don't get to that sort of -- otherwise another year of delay. So this is not the place for this. Thank you.

MANAL ISMAIL, GAC CHAIR:

Thank you, Olga. So with your permission, Olga, I would like that we go to the next steps. I don't see any violent objections to the text. I can see that everyone is willing to live with the text, even those who provided comments. Can we adopt this text here and are we in a position to share it with the NomCom?



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INDONESIA: Basically I can live with the text. What I want to know from Olga is is there any possibility in the future for the GAC to become a voting member, for example? Because then it will become very - - we will have a more interesting discussion [indiscernible]

OLGA CAVALLI: If you remember, the purpose of the working group was to analyze that. And there are colleagues here in the GAC that don't agree the GAC has to participate and others we do think. That would be the next step. If you recall, we divided the work in the working group, we first agreed to work on this text which has been really requested by the NomCom, they would like to have it. Then as steps in the next meeting we can start again trying to find ways to have representation in the NomCom, and that would be the next step for the working group perhaps for the meeting in Barcelona.

MANAL ISMAIL, GAC CHAIR: Thank you, Olga. So we just have one minute left, and I am mindful that we agree on a way forward. So are we in a position to adopt the text and share it with NomCom? Any objections? So if not, then the text is adopted. We will share it with the NomCom and with your permission, we are going to add just one sentence in the communique reflecting that this text was adopted and will be shared with NomCom, just the factual

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sentence, and of course we will circulate the final version of the  
communique.

OLGA CAVALLI: Thank you very much. It's been awhile, good to have a good  
outcome. Thank you very much, Manal, for your guidance.  
Thank you.

[applause]

MANAL ISMAIL, GAC CHAIR: And thank you, Olga, for your efforts. You have been trying to do  
this for a while now. Thank you. So this concludes agenda item  
21. So just give us one minute to get clearance that we are ready  
to start the following session. Thank you.

[END OF TRANSCRIPTION]