

12 June 2023

RrSG Response to Phase 1 Initial Report on the Internationalized Domain Names EPDP

The Registrar Stakeholder Group (RrSG) welcomes the opportunity to provide a comment on [Bylaws Amendments and Documents to Implement the NomCom2 Review](#). The RrSG acknowledges with appreciation the significant time and effort by the Review Implementation Working Group (RIWG) and supporting ICANN org staff in reaching this important milestone. The RrSG finds that the draft Bylaws amendments are generally consistent with the recommendations of the Independent Examiner’s Final Report, the Feasibility Assessment, and Initial Implementation Plan (FAIIP), the NomCom Review Detailed Implementation Plan, and the NomCom2 Review Final Report.

In general, the RrSG is supportive of the proposed Bylaw changes and the new Standing Committee which should improve the efficiency of the NomCom and result in the selection of better NomCom appointees.

Below are the RrSG responses to specific questions posed by this Public Comment period.

1. Do you have input on the [Fundamental Bylaws amendment](#) proposed for Article 7 of the ICANN Bylaws and the related proposed statement defining “Unaffiliated” Directors?

The RrSG is generally supportive of the Article 7 changes and the laudable goal of increasing independent Directors. Bringing in new voices helps the NomCom-appointed Board Directors reflect new expertise and insights, with flexibility where unaffiliated candidates are unavailable. The goal of striving for a minimum of three unaffiliated directors out of eight ensures the NomCom is still free to appoint qualified candidates who are also ICANN insiders. Also, the NomCom has the flexibility of relaxing this goal in any given year if no suitable unaffiliated candidates are available.

Some members of the RrSG are concerned that the definition is too expansive and can have the result of excluding qualified candidates, who just so happen to be ICANN insiders. The definition could be revised to ensure that the most qualified candidates are prioritized and that candidates with ICANN community experience are not preemptively excluded, as such experience can greatly benefit directors of such a unique organization. The concern is that such a narrow definition could restrict the pool of “qualified” candidates, thus further frustrating the efforts of the NomCom.

2. Do you have input on the proposed [Standard Bylaws amendments](#) proposed to Article 8 of the ICANN Bylaws as well as the Transition Clause proposed for Article 27? These would:

- a. **Change NomCom delegates' terms to serve two-year terms, instead of one year.**
- b. **Transform all NomCom delegates into voting delegates to be able to vote, except for leadership.**
- c. **Create a NomCom Standing Committee to provide continuity across annual NomCom cycles and to build the institutional memory of the NomCom.**

The RrSG is in support of the Article 8 changes and transition plan. We agree these changes will improve the NomCom. In particular, the proposed Standing Committee has tremendous potential to boost the effectiveness and efficiency of the NomCom's mission of selecting higher quality candidates for various bodies.

3. Do you have input on the NomCom [Standing Committee Charter](#)?

The Standing Committee has the potential of significant improvement in the efficiency and productivity of the NomCom. The RrSG notes that if there are significant changes to the Charter or definition of unaffiliated Director in the NomCom Operating Procedures Manual these proposed changes will be published for public comment. Additionally, the "For reference" box on page 1 of the draft charter be updated with the correct number of voting delegates.

Extra ICANN Org attention will be required to ensure a successful launch of this Standing Committee. The main concern of the RrSG is to ensure that sufficient staffing and financial resources are allocated towards successful establishment and operations of this new body. The RrSG also recommends that travel support be provided for this standing committee.

4. Do you have input on the [requested changes to Article 12](#) related to the RSSAC?

The RrSG is in support. These changes will help bring RSSAC in alignment with the other bodies appointing NomCom delegates.

Sincerely,

Ashley Heineman
Chair, Registrar Stakeholder Group